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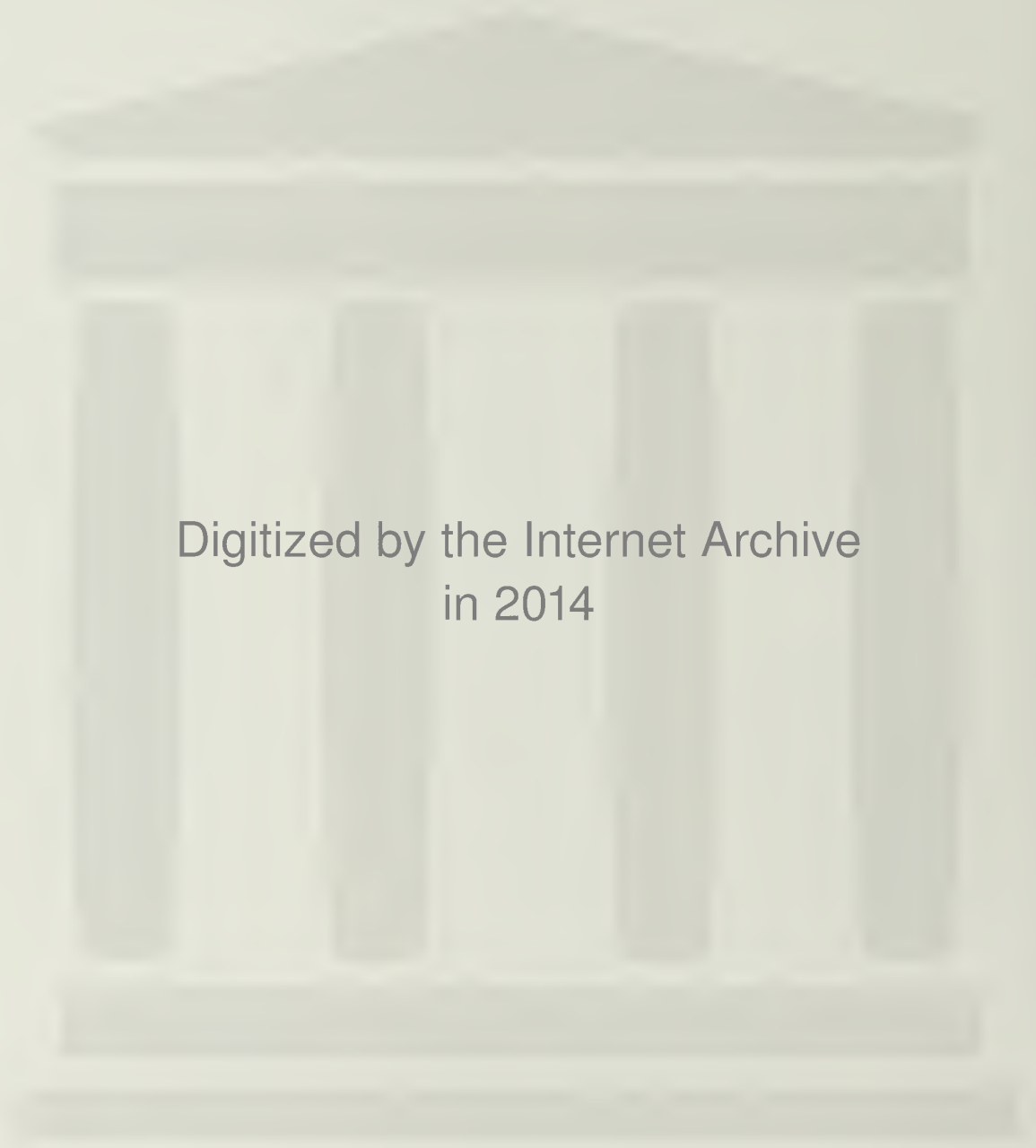
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SAN FRANCISCO DEPARTMENT OF CITY PLANNING

PROPOSED RESIDENTIAL CONSERVATION ZONING ORDINANCE

1991

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City and County of San Francisco
Department of City Planning

450 McAllister Street
San Francisco, CA 94102

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June 21, 1991

MEMORANDUM

TO: Persons interested in the Residential Conservation Controls Ordinance

FROM: Department of City Planning

This memorandum is intended to provide you with some information which will make it easier to evaluate the new Residential Conservation Zoning Ordinance and compare it to the existing Code provisions. The information will mainly consist of references to the Planning Code. A more descriptive comparison of the proposal with the existing Code will be made available at the public hearings before the City Planning Commission, which will start on Thursday July 25, 1991. (The Residential Demolition and Extensive Alteration Controls are not subject to this memo as this ordinance is completely new.)

The Planning Code is currently organized by topics and not by districts and therefor, the various provisions relating to Residential Districts are spread throughout the Code. This makes it very difficult to find all the relevant rules applying to a residential property. Also, the existing code, which has been revised and added to incrementally over the years, is sometimes written in complicated legal language. This makes it difficult to understand the rules once they are found.

Beginning in the mid eighties with the Neighborhood Commercial Rezoning Study, the Department has started to reorganize the Code into self-contained articles which contain, either by inclusion or by reference, all relevant sections regarding specific districts. As a consequence, the Code sections covering residential districts were brought together into one Article or at least referenced in that Article. The new Article 4 is organized, written and illustrated so that both the new rules as well as the old rules which are not being changed substantially, would be easier to find and understand.

The Residential Conservation Ordinance presented to the Planning Commission on June 20, 1991, consists of two major parts: the new Article 4 which appears on pages 1 through 113, and amendments to the existing Code which appear on pages 114 through 233.

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For Article 4, each section with its title is listed below with a reference whether the section is new or based on the existing Code and to what degree the section was amended. This is done in numerical order. The sections with substantive changes in the rules, rather than mere changes in the phrasing of the rule without changing its meaning, are indicated by an asterisk.

For the second part, the amendments to the existing Code, the substantive changes are summarized first. Next are listed those amendments which are needed to reorganize the rules concerning residential districts into the new Article 4 and which limit the existing Code sections to all use districts other than R or Residential districts. These include deletions of sections no longer needed because those sections are only applicable to R districts and are being incorporated into Article 4.

For further information on the proposed ordinances, please call Inge Horton at 558-6279 or Peter Albert at 558-6310.

Part 1, Article 4, Residential Districts (Pages 1-113)

Page Number	Section Number	
13	400.	SCOPE ((a) is new. Subsections (b), (c) and (d) are based on Sec. 170 and 202(d))
13	401.	PURPOSE OF RESIDENTIAL DISTRICTS (formerly Sec. 206, rewritten to incorporate Section 101.1 priority policies)
14	402.	CLASSES OF RESIDENTIAL DISTRICTS (formerly Sections 206.1, 208.2 and 813, minor editing)
18	403.	LOCATION AND BOUNDARIES OF RESIDENTIAL DISTRICTS (based on Sections 105 and 106)
18	404.	SPECIAL USE DISTRICTS (based on Section 235, with additional explanation)
19	410.	PERMITTED USES IN RESIDENTIAL DISTRICTS (based on Section 202, reorganized into a use table)
20	411.	PRINCIPAL AND CONDITIONAL USES (based on Section 209).
21	412.	ACCESSORY USES (based on Sections 204, 204.1, 204.2, 204.4).
22	413.	TEMPORARY USES (based on relevant portions of Sections 205, 205.1, 205.2, and 204.5).
23	415.	PERMITTED DENSITY IN RESIDENTIAL DISTRICTS (based on density provisions in Sections 207.1, 208 and 209 reorganized into a table).
25	416.	LOT WIDTH AND AREA (formerly Section 121).
26	440.	PURPOSE OF THE OPEN AREA REQUIREMENTS (new added fo clarity).
27	441.	TYPES OF OPEN AREAS (based on part of Section 130).
27	442.	FRONT SETBACK AREAS (formerly Sections 131 and 132, minor changes for clarity).
31	443.	SIDE YARDS IN RH-1(D) DISTRICTS (formerly Sec. 133, minor changes for clarity).
32	*444.	REAR YARDS (formerly Sec. 134, major changes: basic rear yard in RH-1(D), RH-1 and RH-1(S) increased to 45%; permitted averaging reduced to shorter of 2 adjacent buildings; building extension permitted only to match pattern; yard can be increased in certain cases).

Page Number	Section Number	
40	445.	RULES FOR MEASURING YARDS AND SETBACKS (formerly Section 135, edited for clarity).
41	*446.	PROJECTIONS INTO AND OBSTRUCTIONS WITHIN REQUIRED OPEN AREAS (Formerly Sec. 136, major changes: dimensions of some projections are reduced, more flexibility in shape of bay window is permitted; one story deck allowed).
60	447.	USABLE OPEN SPACE (formerly Section 135, minor editing for clarity; solariums permitted).
64	448.	ORIENTATION OF DWELLING UNITS TO OPEN AREAS (formerly Section 140, edited for clarity).
65	450.	ESTABLISHMENT AND EFFECT OF HEIGHT AND BULK DISTRICTS. (formerly Sec. 250, edited for clarity).
65	451.	PURPOSE OF HEIGHT AND BULK DISTRICTS. (formerly Section 251, changes to explain purpose of new controls).
65	452.	CLASSES OF HEIGHT AND BULK DISTRICTS. (formerly Section 252, edited for clarity).
66	*453.	RULES FOR MEASURING HEIGHT. (formerly Sections 102.12 and 260, edited for clarity; major changes: new rules for measuring steep up- and downsloping lots).
71	*454.	BUILDING HEIGHT LIMITATIONS. (formerly Section 261, major changes; basic height in RH-2 reduced to 35 feet; other changes in RH-1 and RH-2 rules).
75	*455.	EXEMPTIONS FROM HEIGHT LIMITATIONS. (formerly Section 260, changes in some exemptions to reduce their size or facilitate screening).
78	456.	BUILDING BULK LIMITATIONS. (based on Sec. 270, new text added for clarity).
79	460.	PURPOSE OF BUILDING FORM AND APPEARANCE REQUIREMENTS (new text added for clarity)
79	461.	REQUIRED CONSISTENCY WITH THE MASTER PLAN AND RESIDENTIAL DESIGN GUIDELINES (new text based on Neighborhood Conservation Interim Controls)
80	*462.	TREATMENT OF THE GROUND STORY ON STREET FRONTAGES (formerly Section 144, changes reducing size and location of garage doors and adding rules regarding entrances and other features).

Page Number	Section Number	
82	*463.	ARTICULATION OF EXPOSED UPPER STORIES (new rule and text)
83	*464.	TREATMENT OF EXPOSED SIDE WALLS (new rule and text)
84	465.	MODULATION OF THE BUILDING WALLS FACING A STREET OR ALLEY (formerly Section 145, modified to allow use of other features for modulation).
85	*466.	SCREENING OF ROOFTOP FEATURES ((a) is former Section 141, no change; (b) is new and deals with dish antennae)
85	467.	SCREENING OF OFF-STREET PARKING AREAS (formerly Sections 142 and 156, modified to require more screening).
87	468.	LANDSCAPING (formerly Sections 132 and 143, provisions to deal with compliance issues are added).
88	470.	PURPOSE OF OFF-STREET PARKING AND LOADING REQUIREMENTS. (formerly Section 150)
88	471.	REQUIRED OFF-STREET PARKING AND LOADING SPACES. (formerly Section 150(b))
89	*472.	REQUIRED OFF-STREET PARKING SPACES FOR DWELLINGS (major change: one space per dwelling unit requirement increased in RH-1 and RH-2 districts for units exceeding 3000 sf aggregate floor area).
90	473.	REQUIRED OFF-STREET PARKING FOR USES OTHER THAN DWELLINGS. (formerly Section 151).
92	474.	REQUIRED OFF-STREET FREIGHT LOADING SPACES (reference to Section 152).
92	475.	PERMITTED OFF-STREET PARKING AND LOADING SPACES (reference to Section 204.5).
92	476.	OFF-STREET PARKING AND LOADING SPACES TO BE RETAINED.(formerly Section 150(d))
92	477.	OFF-STREET PARKING AND LOADING CALCULATIONS, DIMENSIONS, STANDARDS, AND SCREENING REQUIREMENTS (reference to unchanged Sections 153, 154, 155, 461(b) and 466).
93	478.	LOCATION OFFSITE, COLLECTIVE PROVISION AND JOINT USE OF REQUIRED OFF-STREET PARKING (reference to unchanged Sections 159 and 160).
93	480.	PURPOSE OF SIGN REGULATIONS (reference to unchanged Sections 601, 602.1 through 602.23).

Page Number	Section Number	
93	481.	PERMITTED SIGNS IN RESIDENTIAL DISTRICTS (formerly Sec. 606, edited for clarity).
96	*488.	NOTICE AND BUILDING PERMIT APPLICATION REVIEW PROCEDURES IN RESIDENTIAL DISTRICTS (new procedures).
101	489.	OTHER ZONING PROCEDURES AND REQUIREMENTS (reference to unchanged applicable Sections)
102	490.	APPLICABILITY OF AND COMPLIANCE WITH PLANNING CODE REQUIREMENTS (reference to unchanged applicable Sections)
102	491.	RULES REGARDING NON-CONFORMING USES AND NON-COMPLYING STRUCTURES (reference to applicable Sections).
103	*492.	FEES (reference to applicable Sections of which Section 353.1 and 369 respectively 365 are new)
104	497.	DEFINITIONS
105	497.1	Aggregate Floor Area (new).
105	497.2	Block (new).
105	497.3	Building (based on Section 102.12).
105	497.4	Community Facilities (based on Section 102.9).
105	497.5	Community Recycling Collection Center (based on Section 790.80(a)
105	497.6	Dormer (new)
105	497.7	Dwelling Unit (based on Section 102.7 and significantly expanded).
106	497.8	Dwelling Unit For Elderly or Physically Disabled Persons (based on Section 209.2(m)).
106	497.9	Front Building Wall (new).
107	497.10	Grade (based on Section 102.12).
107	497.11	Group Housing (based on Section 209.2).
107	497.12	Historic Building (new)
108	497.13	Horticultural Facilities (based on Section 209.5(c))
108	497.14	Hospital or Medical Center (based on Section 790.44).

Page Number	Section Number	
108	497.15	Hotel, Tourist, Small (based on Sections 209.2(d) and 790.46).
108	497.16	Institutions, Other, Large (based on Section 790.50, deleted (d) Assembly and Social Service Institutions) (a) Child Care. (b) Educational Services. (c) Religious Facilities. (d) Residential Care.
109	497.17	Institutions, Other, Small (based on Section 790.51). (a) Childcare. (b) Residential Care.
109	497.18	Landmarks, Other Non-Residential Uses in Designated (based on Section 209.9(e))
109	497.19	Live/Work Unit (based on Sections 209.9 (f), (g) and (h) and 233). (a) Artist. (b) Artist in Nonconforming Use. (c) Artist nonprofit.
111	497.20	Midblock Open Space (new).
111	497.21	Outdoor Recreation Facilities (based on Section 209.5(a))
111	497.22	Parks and Other Passive Recreation Facilities (based on Section 209.5(b)).
111	497.23	Property Line (new). (a) Front Property Line (b) Rear Property Line (c) Side Property Line
111	497.24	Public Facilities (based on Section 209.6(a)).
111	497.25	Rear Building Wall (new).
112	497.26	Rear Yard (new).
112	497.27	Skylight (new).
112	497.28	Stair Penthouse (new).
112	497.29	Story (new).
112	497.30	Studio (based on Section 209.1(l).
112	497.31	Tandem Parking (new).

Page Number	Section Number	
113	497.32	Utility Facilities (based on Section 209.6(b)).
113	497.33	Vehicle Storage (based on Section 209.7).

Part 2. Amendments to the existing City Planning Code Sections

A. Substantive Changes

Page Number	Section Number	
114	102.5	DEFINITION OF "DISTRICT". (Clarification that R or Residential Districts include RH, RM and RE districts and do not include RC districts.)
115	102.8	DEFINITION OF "FAMILY". (Modification of definition to comply with recent Court decision.)
166-8	154	MINIMUM DIMENSIONS FOR REQUIRED OFF-SREET PARKING AND FREIGHT LOADING AND SERVICE VEHICLE SPACES. (Reduction of minimum area required for off-street parking spaces citywide.)
172-6	181	NONCONFORMING USES: ENLARGEMENTS, ALTERATIONS AND RECONSTRUCTION. (Clarification of language.)
176-7	188	NONCOMPLYING STRUCTURES: ENLARGEMENTS, ALTERATIONS AND RECONSTRUCTION. (Adding subsection (d) to permit rehabilitation and Building Code compliance of noncomplying structures.)
202	241	DOLORES HEIGHTS SPECIAL USE DISTRICT. (Amendments to the provisions of the Dolores Heights Special Use District for consistency with Article 4.)
213-7	303	CONDITIONAL USES. (Including provisions for conditional use review of nonresidential uses in designated landmarks which were previously in Section 209.9(e).)
217	351.1	FEES. (Establishing new fees for the review of permit applications for demolition and extensive alteration of affordable dwelling units and their replacement in the replacement structure in RH-3 and RM districts.)
217	369 of Article 3.5A 365 od Article 3.5	FEES. (Establishing fees for the review of permit application for exceptions.)

B. Amendments to the following sections of the Code to make these sections no longer applicable to Residential Districts:

Page Number	Section Number	Page Number	Section Number
114	102	182	204.1
115	102.7	182	204.2
116	102.12	183	204.4
117	121	183	205
119	131	184	205.1
123	134	185	205.2
129	135	185	206
135	136	189	208
153	140	191	209
154	141	192-201	209.1-209.9
155	142	203	250
156	143	204	251
159	150	204	252
160	151	205	253
168	155	205-11	260
172	180	213	262
177	201	218-20	606
181	202	221-24	Article 8 Mixed Use Districts (Table of Contents)
		225	803.3

C. Deletion of Sections which only apply to Residential Districts and are now included in Article 4.

Page Number	Section Number	Page Number	Section Number
119-22	132	186-88	206.1
122-23	133	188-89	206.2
157-58	144	212-13	261
158-59	145	227-32	813

RESZ:422

File No._____ Ordinance No._____

(Residential Demolition and Extensive Alteration Controls)

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY CREATING SECTION 487 PROHIBITING DEMOLITION OR EXTENSIVE ALTERATION OF RESIDENTIAL BUILDINGS IN RH-1 AND RH-2 DISTRICTS AND REQUIRING THAT AFFORDABLE RENTAL UNITS IN RH-3, RM AND RE DISTRICTS BE REPLACED WITH COMPARABLE UNITS IN CASE OF DEMOLITION OR EXTENSIVE ALTERATION, PROHIBITING DEMOLITION OR EXTENSIVE ALTERATION OF HISTORIC RESIDENTIAL BUILDINGS IN RH AND RM DISTRICTS, REQUIRING APPROVAL OF THE REPLACEMENT STRUCTURE BEFORE ISSUING A DEMOLITION OR EXTENSIVE ALTERATION PERMIT, PERMITTING DEMOLITION OR EXTENSIVE ALTERATION OF NON-COMPLYING PORTIONS OF A BUILDING, INCLUDING DEFINITIONS, AND FINDING CONSISTENCY WITH THE PRIORITY POLICIES SET FORTH IN SECTION 101.1.

NOTE: Section 2 is entirely new.

Be it ordained by the people of the City and County of San Francisco:

SECTION I. FINDINGS.

1. In November 1986, the people of San Francisco enacted Proposition M, mandating, among other things, that existing housing and neighborhood character be conserved and protected and that landmarks and historic buildings be preserved.

2. In the mid-eighties, physically sound single- and two-unit residential buildings had been demolished to construct large single- or multi-unit structures.

3. Much new construction of replacement buildings had been out of scale and character with the surrounding area.

4. On September 29, 1988, the Commission adopted by Resolution No. 11475 the Neighborhood Conservation Interim Controls (NCIC) to provide time for the formulation of permanent controls. The NCIC were adopted for a period of 18 months, were extended for an additional six months by Planning Commission Resolution No. 11900 and expired on September 29, 1990.

5. The NCIC have been successful in reducing the demolition of sound single-unit buildings in RH-2, RH-3 and RM districts and producing new

construction and alterations that are appropriately scaled and designed for their context.

6. However, small single-family buildings in RH-1 districts were permitted to be demolished and be replaced with large single-family houses which resulted in the loss of affordable houses.

7. The Residential Demolition Controls were developed with the goals of continuing the achievements of the Neighborhood Conservation Interim Controls and correcting their deficiencies.

8. These controls further the Priority Policies set forth in City Planning Code Section 101.1. Policies 2, 3, and 7 are furthered because the retention of sound residential buildings will conserve housing, protect existing neighborhood character and preserve landmarks and historic buildings that provide housing. Where demolition and alteration is permitted, this ordinance insures that neighborhood character will be protected. Policies 1, 4, 5, 6 and 8 are not adversely affected. The controls do not affect existing retail or commercial uses, create transportation problems, affect the economic base or future employment opportunities, prohibit demolition of unsound or imminently hazardous structures, or create potential for shading parks or blocking public vistas.

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SECTION II. Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by adding Section 487 as follows:

DEMOLITION AND EXTENSIVE ALTERATION

SEC. 487. DEMOLITION OR EXTENSIVE ALTERATION OF RESIDENTIAL BUILDINGS.

(a) Purpose. The provisions of this Section regarding demolition and extensive alterations are enacted to protect affordable rental units predominantly in single and two unit buildings, preserve the character and scale of the neighborhoods, conserve historic residential buildings, and preserve the mix of large and small houses in RH-1 and RH-1(D) districts. The purpose was also to develop standards which allow moderate alterations to satisfy family needs and prevent alterations which are tantamount to demolition.

(b) Prohibition of Demolition or Extensive Alteration of Non-Historic Residential Buildings in RH-1, RH-1(D), RH-1(S) and RH-2 districts. No demolition or extensive alteration, as defined in subsection (h)1 and 2, of a residential building in RH-1(D), RH-1, RH-1(S) or RH-2 district shall be approved unless approved pursuant to subsections (f) and (g).

(c) Prohibition of Demolition or Extensive Alteration of Certain Non Historic Residential Buildings Containing Affordable Units in RH-3, RM and RE Districts. Unless approved pursuant to subsections (e) and (f), no permit for the demolition or extensive alteration, as defined in subsection (h)1 and 2, of a residential building containing an affordable residential rental unit or units in an RH-3, RM or RE district shall be approved unless the Zoning Administrator determines that all of the conditions below are met. The conditions are as follows:

(1) The same number of comparable affordable units will be provided in the building which is approved to replace the demolished building. "Comparable affordable unit" means a unit of approximately the same or more square footage and the same or greater number of bedrooms.

(2) The last tenant(s) occupying each rental unit shall have a thirty day right-of-first-refusal to rent the replacement unit. Thereafter, the replacement unit(s) may be offered for rental to the general public.

(3) Amount of Rent.

(A) The initial rent for the replacement unit(s) shall be set at the previous rent for the unit(s) adjusted at the rate of 4% per year from the date that the last tenant vacated the unit, or such other rate as may be established by the Board of Supervisors in Chapter 37 of the San Francisco Administrative Code.

(B) Periodic rent increases, including rent that may be changed after a vacancy, shall be limited to the rent increases allowed by Ordinance No. 210-91, or any amendments thereto. Applications for rent increases based upon the costs of capital improvements, rehabilitation, energy conservation, utilities, RAP loans, or other increases may be made to the Zoning Administrator. The Zoning Administrator shall review the application pursuant to the criteria and guidelines followed by the Residential Rent Stabilization and Arbitration Board.

(C) Upon applying to the Zoning Administrator, the Zoning Administrator may authorize an increase in the amount of the initial rent or the amount of subsequent annual increases up to the amount reasonably calculated to provide a fair and reasonable return if the applicant demonstrates, through evidence presented, that increase is necessary to provide a fair and reasonable return.

(D) For purposes of this Section (3), the Zoning Administrator shall mean the Zoning Administrator or his or her designee, including other City agencies or departments.

(4) Enforcement

(A) Prior to the issuance of the building permit for work

entailing a demolition or extensive alteration, the applicant shall provide an enforcement mechanism approved by the Zoning Administrator to enforce the requirement that the replacement unit(s) be restricted in rents. In addition, the applicant shall provide the Zoning Administrator with a list of rents for the rental unit(s) sought to be demolished.

(B) Prior to the issuance of the building or site permit for the rental replacement project, the applicant shall identify the replacement unit(s) and record the rent limitations for the unit(s) on the land records.

(C) Prior to issuance of any permits for occupancy, the applicant shall provide written proof to the Zoning Administrator that the last tenant(s) has been offered the right of first refusal to the unit(s).

(D) The restrictions contained in subsections (A) and (B) shall be imposed as conditions of approval to the extensive alteration permit and the building or site permit authorizing construction of the rental replacement project. These restrictions shall be recorded with the County Recorder on the land records of the subject property.

(5) This subsection (c) shall only apply in cases where the applicant seeks to extensively alter or demolish existing affordable rental residential buildings in order to construct new residential rental units.

(d) Prohibition of Demolition or Extensive Alteration of Historic Residential Buildings in RH, RM and RE Districts. Unless approved pursuant to subsection (e)(1) or (2), no permit may be approved for demolition or extensive alteration of a residential building which is an historic building as defined in paragraph (h)(6).

(e) Demolition or Extensive Alteration of Buildings with No Market Value or Reasonable Use, Unsafe Buildings, and Buildings Requiring Extensive Repair. Notwithstanding the restrictions of subsections (b) and (c) above,

permits authorizing demolition or extensive alteration of non-historic residential buildings shall be approved if:

(1) the Zoning Administrator determines, based on facts presented, that the structure proposed to be demolished retains no substantial remaining market value or reasonable use;

(2) the Superintendent of the Bureau of Building Inspection or the Chief of the Bureau of Fire Prevention and Public Safety determines, after consultation to the extent feasible with the Zoning Administrator, that an imminent safety hazard exists and the Superintendent determines that extensive alteration of the structure is the only feasible means to secure the public safety; or

(3) the Superintendent of the Bureau of Building Inspection determines, after consultation with the Zoning Administrator and the Chief of the Bureau of Fire Prevention and Public Safety, that repairs rendering the structure safe and habitable as defined in the San Francisco Housing Code would cost 50% or more of the cost to replace the structure pursuant to standards published periodically by the Superintendent. Damage to the property which, in the opinion of the Superintendent of the Bureau of Building Inspection, is due to the owner's deliberate action or failure to maintain it, shall not be included in the calculation of replacement costs.

(f) Demolition of Noncomplying Portions of a Building. Except for historic buildings as defined in paragraph (h)(6), any portion of a building which is noncomplying as defined in Section 180(a)(2) may be demolished and shall not be counted against the area limitations of extensive alterations as required in paragraph (h)(3)(B).

(g) Approval of Replacement Structure Required. Unless demolition is approved pursuant to subsection (e)(1) or (e)(2) or (e)(3), no application authorizing demolition of a residential building within the scope of this Section shall be finally approved and issued until the City has finally approved a building permit for construction of the replacement building. A

building permit is finally approved if the Board of Permit Appeals has taken final action for approval on an appeal of the issuance or denial of the permit or if the permit has been issued and the time for filing an appeal with the Board has lapsed with no appeal filed.

(h) Definitions. Certain words and terms used in this Section are defined below and in Section 102. In case of conflict between the following definitions and those set forth in Sections 102 through 102.28 of this Code, the following definitions shall prevail in Residential Districts.

(1) Affordable Unit. A unit which has been occupied as a rental unit within the last 24 months prior to the application date, and the rent of which was affordable to households with incomes up to 80% of Primary Statistical Metropolitan Area median income.

(2) Demolition. The dismantling or removal of a structure to grade level.

(3) Extensive Alteration

(A) The purpose of the definition of extensive alteration is to allow removal of portions of exterior walls in order to accommodate an approved remodeling and expansion of an existing building but to prevent such extensive removal of walls that the removal is tantamount to demolition of the existing building and its replacement with a new building.

(B) The alteration of a building shall be considered an extensive alteration for the purposes of this section when it involves either

(i) the removal of 25% or more of the exterior wall(s) facing the street at the front of the lot, or

(ii) the removal of 50% or more of the combined area of all exterior walls, whichever is more restrictive. However, if a building is set back more than 15 feet from the front property line, and the location of the building and the size of and

configuration of the lot are such that the ground floor of the building cannot be expanded to occupy 50% of the lot area under the rules of this Code, including the limitation of paragraph (3)(A), then the limitation of paragraph (3)(A) shall not apply.

(C) "Removal of exterior wall" refers to the dismantling and taking away of the structural portions of a wall or placing another wall in front of a wall so that the portion removed or blocked no longer functions as an exterior wall.

(D) The dismantling and taking away of structural portions of an exterior wall shall not be considered its removal if this work is done to add projections or obstructions as permitted in Section 136 of the Planning Code or Section 445 of the proposed Residential Conservation Zoning Ordinance, new windows or doors or to change the size or location of existing windows or doors.

(E) The dismantling and taking away of structural portions of an exterior wall shall not be considered its removal if this work is done to repair or replace damaged structural members, or to provide structural reinforcement, provided that the portions are replaced in kind and altered only to the extent necessary to accommodate these repairs and meet building code standards for safety.

(F) An alteration of a building, which in combination with other alterations authorized within the preceding five years, but after the effective date of this Article, which represents the change defined in paragraph (3) shall be deemed to be a extensive alteration.

(4) Exterior Wall. The wall that separates the interior from the exterior of a building, or that separates one building from another as in the case of attached buildings.

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(5) **Front Building Wall.** The wall of a building that

(A) is closest to the front property line,

(B) extends to grade,

(C) occupies at least 1/2 the width between the side lot lines of the lot on which such building is located,

(D) is not a wall that is an obstruction permitted in front setbacks in Section 442.

(6) **Historic Building.** Any building that is or has been:

(A) designated a landmark pursuant to Article 10,

(B) identified as a contributory (compatible) and contributory altered (potentially compatible) building in an Article 10 designated historic district,

(C) listed in the book "Here Today" which was accepted as the official city wide survey and inventory of historically and architecturally significant buildings by the Board of Supervisors on May 11, 1970, Resolution No. 268-70,

(D) identified in the Master Plan of the City and County of San Francisco as historic or architecturally significant, or

(E) determined by the City Planning Commission, acting with the advice of the Landmarks Preservation Advisory Board and after a duly noticed hearing, to meet the standards of Article 10 of the Code.

SEC. 498. APPLICABILITY.

The provisions of this Article do not apply to building permit applications or amendments thereto, or to conditional use, variance or environmental evaluation applications filed before the effective date of this ordinance, except upon written request by the applicant. Such applications are governed by the ordinances and any Commission adopted policies that are in effect at the time of filing of the application.

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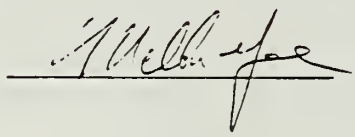
SECTION III. The San Francisco Board of Supervisors hereby finds that this ordinance is on balance consistent with the Priority Policies in Section 101.1 of the San Francisco Municipal Code (the City Planning Code) and consistent with the Master Plan and adopts the findings in the City Planning Commission Resolution No.....related to the eight Priority Policies of Section 101.1 of the Planning Code and Master Plan.

SECTION IV. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, or other competent agency, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof.

APPROVED AS TO FORM

LOUISE RENNE, CITY ATTORNEY



Deputy City Attorney

RESZ:408

File No._____ Ordinance No._____

(Residential Conservation Controls)

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY CREATING ARTICLE 4 COMBINING, EITHER BY INCORPORATION OR REFERENCE, ALL PROVISIONS REGARDING ALL R DISTRICTS EXCLUDING THE BERNAL HEIGHTS SPECIAL USE DISTRICT, AMENDING PROVISIONS FOR HEIGHT, REAR YARD AND BUILDING DESIGN REQUIREMENTS TO REDEFINE THE POTENTIAL BUILDING FORM AND APPEARANCE OF NEW CONSTRUCTION AND ALTERATION OF RESIDENTIAL BUILDINGS AND REQUIRING COMPLIANCE WITH RESIDENTIAL DESIGN GUIDELINES, REVISING THE OFF-STREET PARKING REQUIREMENTS FOR NEW RESIDENTIAL DEVELOPMENT AND ALTERATIONS IN RH-1 AND RH-2 DISTRICTS REVISING PROCEDURES FOR NOTIFICATION AND REVIEW OF PERMIT APPLICATIONS, AND ADDING DEFINITIONS. THE ORDINANCE ALSO PROPOSES AMENDMENTS TO OTHER ARTICLES OF THE CODE BY ADDING SECTIONS 351.1 AND SECTION 369 OF ARTICLE 3.5 AND SECTION 365 OF ARTICLE 3.5A, REQUIRING FEES FOR REVIEW OF APPLICATIONS FOR EXCEPTIONS, AMENDING SECTION 102.8 TO REVISE THE DEFINITION OF FAMILY, REVISING IN SECTION 154 THE DIMENSIONS FOR OFF-STREET PARKING SPACES FOR ALL USE DISTRICTS CITYWIDE, AMENDING SECTION 181 TO CLARIFY LANGUAGE, AMENDING SECTION 188 TO PERMIT REHABILITATION AND BUILDING CODE COMPLIANCE OF NONCOMPLYING STRUCTURES, AMENDING SECTION 241 REGARDING THE DOLORES HEIGHTS SPECIAL USE DISTRICT, AMENDING SECTION 303 TO INCLUDE PROVISIONS FOR CONDITIONAL USE REVIEW OF NONRESIDENTIAL USES IN LANDMARKS, AMENDING SECTIONS 102, 102.5, 102.7, 102.12, 121, 122, 124, 131, 134, 135, 136, 140, 141, 142, 143, 150, 151, 155, 180, 201, 202, 204.4, 205, 205.1, 205.2, 206, 206.1, 206.2, 208, 209, 209.1, 209.2, 209.3, 209.4, 209.5, 209.6, 209.7, 209.8, 209.9, 250, 251, 252, 253, 260, 262, 606, 802.1, AND 802.3 TO CLARIFY THAT THESE SECTIONS DO NOT APPLY TO R DISTRICTS, AND DELETING SECTIONS 132, 133, 144, 145, 261, AND 813, AND FINDING CONSISTENCY WITH THE PRIORITY POLICIES IN PLANNING CODE SECTION 101.1.

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NOTE: Section II (Article 4) is entirely new. In Section III, additions are underlined and deletions are in double parantheses.

Be it ordained by the people of the City and County of San Francisco:

SECTION I. FINDINGS.

(1) In November 1986, the people of San Francisco enacted Proposition M, mandating, among other things, that existing housing and neighborhood character be conserved and protected and that landmarks and historic buildings be preserved.

(2) Much new construction and alteration to existing residential structures in all residential neighborhoods of the City had been out of scale and character with the surrounding area.

(3) Physically sound single- and two-unit residential buildings had been demolished to construct multi-unit structures.

(4) On September 29, 1988, the Commission adopted by Resolution No. 11475 the Neighborhood Conservation Interim Controls (NCIC) to provide time for the formulation of permanent controls. The NCIC were adopted for a period of 18 months, were extended for an additional six months by Planning Commission Resolution No. 11900 and expired on September 29, 1990.

(5) The NCIC have been successful in reducing the demolition of sound single-unit buildings in districts allowing two units per lot, and producing new construction and alterations that are appropriately scaled and designed for their context.

(6) However, the process necessary for permit review and approval under the NCIC was extremely cumbersome as it required extensive information and analysis of the conditions of adjacent buildings.

(7) The Residential Conservation Controls (RCC) were developed with the goals of continuing the achievements of the Neighborhood Conservation Interim Controls and correcting their deficiencies.

(8) These controls further the Priority Policies set forth in City Planning Code Section 101.1. Policies 2, 3, and 7 are promoted because the

retention of sound residential buildings will conserve housing, protect existing neighborhood character and preserve landmarks and historic buildings that provide housing. Where demolition and alteration is permitted, this ordinance insures that neighborhood character will be protected. Policies 1, 4, 5, 6 and 8 are not adversely affected. The controls do not affect existing retail or commercial uses, create transportation problems, affect the economic base or future employment opportunities, prohibit demolition of unsound or imminently hazardous structures, or create potential for shading parks or blocking public vistas.

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SECTION II. Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by adding Article 4 as follows:

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ARTICLE 4. RESIDENTIAL DISTRICTS.

PART 1. SCOPE

SEC. 400. SCOPE OF ARTICLE 4.

(a) The provisions of this Article 4 apply in all Residential (RH, RM and RE) Districts as shown on Sectional Maps 1-13 of the Zoning Map of the City and County of San Francisco, with the exception of the residential districts within the boundaries of the Bernal Heights Special Use District. They do not apply in Residential Commercial combined (RC) districts, the Special Use Districts based on RC districts and Mixed-Use Districts contained in Article 8 except to the extent expressly provided in this Code.

(b) In the case of a conflict between a provision of this Article and a provision elsewhere in this Code, the provision of this Article shall prevail.

(c) In the case of any apparent inconsistency among requirements applicable to the same property or development, including but not limited to standards for height, bulk, floor area ratio, setbacks, yards, usable open space and dwelling unit density, and offstreet parking, the most restrictive of such requirements shall prevail.

(d) The provisions of this Article apply to all properties and developments, both public and private, including those of the City and County of San Francisco.

The establishment of these controls and the repeal and replacement of controls previously in effect in the city shall in no way be deemed to confer legal noncomplying status upon any building constructed, reconstructed, enlarged, altered or relocated in violation of the controls previously in effect.

PART 2. CLASSES OF RESIDENTIAL DISTRICTS

SEC. 401. PURPOSE OF RESIDENTIAL DISTRICTS.

In addition to the purposes as stated in Section 101, Residential

Districts are established for purposes of implementing the objectives, principles, and policies of the Residence element and other elements of the Master and the priority policies stated in Section 101.1 Among these purposes are the following:

(a) Conserving and protecting the character of San Francisco neighborhoods;

(b) Preserving, improving and maintaining the existing housing stock;

(c) Accommodating dwelling units of adequate size to meet household needs;

(d) Recognizing and protecting historic resources;

(e) Maximizing of housing choice by assuring the availability of quality owner and rental housing of various kinds, suitable for a whole range of household types, lifestyles and economic levels;

(f) Promoting good design in new residential buildings and in building alterations;

(g) Encouraging residential development that will provide adequate indoor and outdoor spaces for its occupants and appropriate amounts of off-street parking; and

(h) Promoting balanced and convenient neighborhoods having appropriate public improvements and services, suitable nonresidential activities that are compatible with housing and meet the needs of residents, and other amenities that contribute to the livability of residential areas.

SEC. 402. CLASSES OF RESIDENTIAL DISTRICTS

Residential Districts are divided into three categories: RH (Residential, House) Districts, RM (Residential, Mixed) Districts and RE (Residential, Enclave) Districts. The following statements of description and purpose outline the main functions of the controls for these districts in the zoning plan for San Francisco:

(a) RH (Residential, House) Districts are intended to recognize, protect, conserve and enhance areas characterized by dwellings in the form of houses,

usually with one, two or three units with separate entrances, and limited scale in terms of building width and height. Such areas tend to have similarity of building styles and predominantly contain large units suitable for family occupancy, considerable open space, and limited nonresidential uses. The RH districts are composed of five separate classes of districts, as follows:

(1) RH-1(D) Districts: One Family (Detached Dwellings). These districts are characterized by lots of greater width and area than in other parts of the city, and by single-family houses with side yards. The structures are relatively large, but rarely exceed three stories in height. Ground level open space and landscaping at the front and rear are usually abundant. In some cases private covenants have controlled the nature of development and helped to maintain the street areas.

(2) RH-1 Districts: One-Family. These districts are occupied almost entirely by single-family houses on lots 25 feet in width, without side yards. Floor sizes and building styles vary, the structures have the appearance of small-scale row housing, rarely exceeding three stories in height. Front setbacks are common, and ground level open space is generous. In most cases the single-family character of these districts has been maintained for a considerable time.

(3) RH-1(S) Districts: One-Family with Minor Second Unit. These districts are similar in character to RH-1 districts, except that a small second dwelling unit has been installed in many structures, usually by conversion of a ground-story space formerly part of the main unit or devoted to storage. The second unit remains subordinate to the main unit. The structures usually retain the appearance of single-family dwellings.

(4) RH-2 Districts: Two-Family. These districts are devoted to one-family and two-family houses, with the latter commonly consisting of two large flats. Structures are finely scaled and usually do not exceed

25 feet in width or three stories in height. Building styles are often more varied than in single-family areas, but certain streets and tracts are quite uniform. Considerable ground level open space is available. The districts may have easy access to shopping facilities and transit lines. In some cases, group housing and institutions are found in these areas, although nonresidential uses tend to be quite limited.

(5) RH-3 Districts: Three-Family. These districts have many similarities to RH-2 districts, but structures with three units are common in addition to one-family and two-family houses. The predominant form is large flats rather than apartments, a fine or moderate scale and separate entrances for each unit. Building styles tend to be varied but complementary to one another. Outdoor space is available at ground level, and also on decks and balconies for individual units. Non-residential uses are more common in these areas than in RH-2 districts.

(b) RM (RESIDENTIAL, MIXED) DISTRICTS.

RM (Residential, Mixed) Districts are intended to recognize, protect, conserve and enhance areas characterized by a mixture of houses and apartment buildings, covering a range of densities and building forms according to the individual district designations. Despite the range of densities and building sizes, most structures are of a scale that respects the traditional lot patterns, open spaces and articulation of facades typical of San Francisco neighborhoods. These districts provide unit sizes and types suitable for a variety of households, and contain supporting nonresidential uses. The RM districts are composed of four separate classes of districts, as follows:

(1) RM-1 Districts: Low Density. These districts contain a mixture of the dwelling types found in RH districts, but in addition have a significant number of apartment buildings that broaden the range of unit sizes and the variety of structures. A pattern of 25-foot to 35-foot building widths is retained, however, and structures rarely exceed 40 feet in height. The overall density of units remains low, buildings are

moderately scaled and segmented, and units or groups of units have separate entrances. Outdoor space tends to be available at ground and upper levels regardless of the age and form of structures. Shopping facilities and transit lines may be found within a short distance of these districts. Nonresidential uses are often present to provide for the needs of residents.

(2) RM-2 Districts: Moderate Density. These districts are generally similar to RM-1 districts, but the overall density of units is greater and the mixture of building types and unit sizes is more varied. Building widths and scales remain moderate, and considerable outdoor space is still available. The unit density permitted requires careful design of new structures in order to provide adequate amenities for the residents. Where nonresidential uses are present, they tend to offer services for wider areas than in RM-1 Districts.

(3) RM-3 Districts: Medium Density. These districts are mostly close to downtown and have some smaller structures, but are predominantly devoted to apartment buildings of six or more units. The units vary in size, but tend to be smaller than in RM-1 and RM-2 districts. Many buildings exceed 40 feet in height, and in some cases additional buildings over that height may be accommodated without disruption of the district character. Although lots and buildings wider than 25 or 35 feet are common, the scale often remains moderate through sensitive facade design and segmentation. Open spaces are smaller, but decks and balconies are used to advantage for many units. Supporting nonresidential uses are often found in these areas.

(4) RM-4 Districts: High Density. These districts are devoted almost exclusively to apartment buildings of high density, usually with smaller units, close to downtown. Buildings over 40 feet in height are very common, and other tall buildings may be accommodated in some instances. Despite the intensity of development, distinct building styles

and moderation of facades are still to be sought in new development, as are open areas for the residents. Group housing is especially common in these districts, as well as supporting nonresidential uses.

(c) RE (Residential Enclave) Districts. These districts encompass the clusters of low-scale, medium density, residential buildings located along the narrow side streets and alleys in the South of Market area. These clusters are typically surrounded by commercial and industrial uses filling most of their lots and fronting on the wider South of Market arterial streets. A pattern of rear yards forming large interior open spaces, typical of other residential districts, does not exist. Within these predominantly residential enclaves lie a number of vacant parcels, parking lots and other properties in open storage use which are opportunity sites for new housing. These districts are intended to encourage and facilitate the development of attractive, compatible and economically feasible in-fill housing which is compatible with the neighborhood characteristics of the enclaves and will provide amenities to the site and neighborhood.

SEC. 403. LOCATION AND BOUNDARIES OF RESIDENTIAL DISTRICTS.

The location and boundaries of Residential Districts are as shown on Sectional Maps 1 through 13 in the Zoning Map of the City and County of San Francisco, which maps are incorporated herein as though fully set forth in this article. Whenever any uncertainty exists as to the boundaries of any district shown on a Sectional Map, the rules set forth in Sec. 105 shall apply.

SEC. 404. SPECIAL USE DISTRICTS.

In addition to the Residential Districts established in Section 404, there are special use districts which overlay, in whole or part, various Residential Districts and which have certain rules and restrictions which are applicable only to lots within the special use district and which differ from the rules and restrictions which apply to the underlying Residential Districts. These special use districts and the sections containing the special rules regulations and the numbered sectional maps in the Zoning Map of the City and

County of San Francisco showing locations of the boundaries of these districts are as follows:

Special Use District	Code Section	Sectional Zoning Map Number
Northern Waterfront #2	240.2	1SU
Dolores Heights	241	7SU

PART 3. USES

SEC. 410. PERMITTED USES IN Residential Districts.

(a) The uses permitted on lots in Residential Districts are either principal, conditional, accessory or temporary as provided in Sections 411, 412 and 413.

(b) The limitations on uses in Residential Districts shall be as set forth in this Article 4 or in other sections referred to in Article 4 and as shown on the Zoning Map as referred to in Section 105, subject to the provisions of Section 105.

(c) No use shall be permitted in a Residential Use District which by reason of its nature or manner of operation creates conditions that are hazardous, noxious or offensive through emission of odor, fumes, smoke, cinders, dust, gas, vibration, glare, refuse, water-carried waste, or excessive noise.

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SEC. 411. PRINCIPAL AND CONDITIONAL USES.

(a) Permitted uses for residential districts are shown in the following table.

Table 411

PERMITTED USES IN RESIDENTIAL DISTRICTS

USES	Sec. Ref.	RH-1(D)	RH-1	RH-1(S)	RH-2	RH-3	RM-1	RM-2	RM-3	RM-4	RC
Residential Uses											
Dwelling Units	497.8	P	P	P	P	P	P	P	P	P	P
Dwelling Units for Elderly and Disabled	497.9	P	P	P	P	P	P	P	P	P	P
Group Housing a) Boarding	497.11(a)				C	C	P	P	P	P	
b) Religious Order	497.11(b)				C	C	P	P	P	P	
c) Medical + Educational Institutions	497.11(c)				C	C	C	C	C	C	
Non-Residential Uses											
Live/Work Units											
a) Artist	497.19(a)										P
b) Artist in Non-conforming Uses	497.19(b)	C	C	C	C	C	C	C	C	C	C
c) Artist Non-profit Sponsor	497.19(c)				C	C	C	C	C	C	
Hotel, Tourist, Small	497.15				C	C	C	C	C	C	
Hospital or Medical Center	497.14	C	C	C	C	C	C	C	C	C	
Other Small Institutions	497.17	P	P	P	P	P	P	P	P	P	P
Other, Large Institutions	497.16	C	C	C	C	C	C	C	C	C	C
Community Facilities	497.5	C	C	C	C	C	C	C	C	C	
Outdoor Recreation Facilities	497.21	C	C	C	C	C	C	C	C	C	
Parks and Passive Recreational Facilities	497.22	P	P	P	P	P	P	P	P	P	P
Horticultural Facilities	497.13	C	C	C	C	C	C	C	C	C	P
Public Facilities	497.24	P	P	P	P	P	P	P	P	P	C
Vehicle Storage	497.33	C	C	C	C	C	C	C	C	C	C
Community Recycling Collection Centers	497.6				C	C	C	C	C	C	C
Utility Facilities	497.32	C	C	C	C	C	C	C	C	C	
Other Non-residential Uses in Landmarks	497.18	C	C	C	C	C	C	C	C	C	C

(b) The uses listed in Table 411 are permitted in Residential Districts as indicated by the following symbols in the respective columns for each district:

P: Permitted as a principal use in the district.

C: Permitted as a conditional use in the district subject to approval by the City Planning Commission as provided in Section 303.

Blank Space: Not permitted in this district.

(c) The definition of uses listed in the first column is referenced in the second column. Unless a use is permitted in this table or in the definitions referred to in the table, such use is prohibited unless determined by the Zoning Administrator to be a permitted use pursuant to Sections 202 and 307(a). Uses listed in this table shall not be interpreted to include any use specifically listed elsewhere in the table.

SEC. 412. ACCESSORY USES.

(a) Definition. Subject to the provisions of this Section, a related minor use which is either (1) necessary to the operation or enjoyment of a lawful principal use or conditional use, or (2) appropriate, incidental and subordinate to any such use, shall be permitted as an accessory use when located on the same lot.

(b) Accessory Uses for Dwellings. No use shall be permitted as an accessory use to a dwelling unit which involves or requires any of the following:

(1) Any construction features or alterations not residential in character;

(2) The use of more than 1/4 of the total floor area of the dwelling unit, except in the case of accessory off-street parking and loading;

(3) The employment of any person not resident in the dwelling unit, other than a domestic servant, gardener, janitor or other person concerned

in the operation or maintenance of the dwelling unit;

(4) Addition of a building manager's unit, unless such unit meets all the normal requirements for dwelling units;

(5) The maintenance of a stock in trade, or the use of show windows or window displays or advertising to attract customers or clients, but not to the exclusion of the display of signs permitted in Section 481, or

(6) The conduct of a business office open to the public, but not to the exclusion of the maintenance within a dwelling unit of the office of a professional person who resides therein, if accessible only from within the dwelling unit.

(c) Dwelling Units Accessory To Other Uses. One dwelling unit to serve as the residence of a manager and the manager's family shall be permitted as an accessory use for any permitted hotel, or group housing structure, without any such structure being classified as a dwelling due to the presence of such dwelling unit.

(d) Parking and Loading as Accesssory Uses. Parking and loading as accessory uses are governed by the provisions of Section 204.5.

SEC. 413. TEMPORARY USES.

(a) General. The temporary uses listed in Subsections (b) and (c), where not otherwise permitted in the district, may be authorized by the Zoning Administrator as provided in this section, up to the time limits indicated. Further time for such uses may be authorized only by action upon a new application, subject to all the requirements for the original application.

(b) Sixty Day Limit. A temporary use may be authorized for a period not to exceed 60 days for any of the following uses:

(1) Neighborhood carnival, exhibition, celebration or festival sponsored by an organized group of residents in the vicinity;

(2) Booth for charitable, patriotic or welfare purposes;

(3) Open air sale of agriculturally produced seasonal decorations, including, but not necessarily limited to, Christmas trees and Halloween

pumpkins.

(c) One- Or Two-Year Limit. A temporary use may be authorized for a period not to exceed two years for any of the following uses:

(1) Temporary structures and uses incidental to the construction of a group of buildings on the same or adjacent premises;

(2) Rental or sales office incidental to a new residential development, not including the conduct of a general real estate business; provided, that it be located within the development, and in a temporary structure or part of a dwelling.

(d) Other Temporary Uses. The temporary use of any property as a public voting place is permitted without special authorization.

PART 4. DENSITY AND LOT SIZE

SEC. 415. PERMITTED DENSITY IN RESIDENTIAL DISTRICTS.

(a) Permitted density for uses in residential districts are shown in the following table.

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Table 415

PERMITTED DENSITY IN RESIDENTIAL DISTRICTS					
RESIDENTIAL USE DISTRICT	DWELLINGS		DWELLING UNITS FOR ELDERLY AND DISABLED	GROUP HOUSING	NON-RESIDENTIAL USES
	Maximum Number of Units		Maximum number of units	Minimum square feet of lot area per bedroom	Basic floor area ratio limit (See footnotes 1 and 2)
	Principal Use	Conditional Use			
RH - 1 (D)	One dwelling unit per lot		Two dwelling units per lot	NA	1.8 to 1
RH - 1	One dwelling unit per lot	Up to one unit per 3000 sf of lot area, max. 3 units	Two dwelling units per lot	NA	1.8 to 1
RH - 1(S)	Two dwelling units per lot with 2nd unit limited to 600sf net floor area	One unit per 3000 sf of lot area, max. 3 units	Four dwellings per lot with two units limited to 600sf floor area	NA	1.8 to 1
RH - 2	Two dwelling units per lot	Up to one unit per 1500 sf of lot area	Four dwelling units per lot	415	1.8 to 1
RH - 3	Three dwelling units per lot	Up to one unit per 1000 sf of lot area	Six dwelling units per lot	275	1.8 to 1
RM - 1	One dwelling unit per 800 sf of lot area		Two dwelling units per 800 sf of lot area	275	1.8 to 1
RM - 2	One dwelling unit per 600 sf of lot area		Two dwelling units per 600 sf of lot area	210	1.8 to 1
RM - 3	One dwelling unit per 400 sf of lot area		Two dwelling units per 400 sf of lot area	140	3.5 to 1
RM - 4	One dwelling unit per 200 sf of lot area One studio per 150 sf of lot area		Two dwelling units per 200 sf of lot area Two studios per 150 sf of lot area	70	4.8 to 1
RE	One dwelling unit per 100 sf of lot area		Two dwelling units per 400 sf of lot area	140	1.0 to 1

[1]Floor area ratio is the ratio of the gross floor area of all the buildings on a lot to the area of the lot. It is further defined in Sec. 102.11. Gross floor area is defined in Sec. 102.9.

[2]Certain lots are entitled to a floor area premimum as provided in Section 125 and certain lots are eligible for a density bonus as provided in Sections 249.8 and 249.9.

(b) Dwelling unit densities are calculated in the manner set forth in Section 207 and 207.1.

(c) Group housing densities are calculated in the manner set forth in Section 208 (b) and (c).

(d) Transfer of permitted gross floor area from landmark buildings to adjacent lots is permitted as set forth in Section 127.

SEC. 416. LOT WIDTH AND AREA.

(a) Minimum lot width. The minimum lot width in Residential Districts shall be as follows:

(1) In RH-1(D) districts: 33 feet.

(2) In all other residential districts: 25 feet.

(b) Minimum lot area. The minimum lot area in Residential Districts shall be as follows:

(1) In RH-1(D) districts: 4,000 square feet.

(2) In all other residential districts: 2,500 square feet; except that the minimum lot area for any lot having its street frontage entirely within 125 feet of the intersection of two streets that intersect at an angle of not more than 135 degrees shall be 1,750 square feet.

(c) Conditional uses. In any Residential Use District other than an RH-1(D) district the City Planning Commission may permit one or more lots of lesser width to be created, with each lot containing only a one-family dwelling and having a lot area of not less than 1,500 square feet, according to the procedures and criteria for conditional use approval in Section 303.

(d) Frontage. Every newly created lot shall have and maintain frontage on a public street or alley, or on some other permanent right-of-way from which there shall be vehicular access to such lot, and in each case such frontage shall have a minimum width of 16 feet. Where an existing lot of record does not have such frontage, but has other access from a street or alley, such other access shall be maintained

for such lot.

(e) Subdivisions and lot splits. Subdivisions and lot splits shall be governed by the Subdivision Code of the City and County of San Francisco and by the Subdivision Map Act of California. In all such cases the procedures and requirements of said Code and said Act shall be followed, including the requirement for consistency with the Master Plan of the City and County of San Francisco. Where the predominant pattern of residential development in the immediate vicinity exceeds the minimum standard for lot width or area, or the minimum standards for both lot width and area, set forth below in this section, any new lot created by a subdivision or lot split under the Subdivision Code shall conform to the greater established standards, provided that in no case shall the required lot width be more than 33 feet or the required lot area be more than 4,000 square feet.

(f) Measurement. The lot width shall be measured as a horizontal distance between the side lot lines. The lot area shall be measured as a horizontal plane enclosed by the lot lines. Where a lot is not in the form of an ordinary rectangle, the specified minimum lot width shall be maintained for a sufficient depth on the lot to enable the minimum lot area requirement to be satisfied within the portion of the lot having such minimum lot width.

PART 5. OPEN AREAS

SEC. 440. PURPOSE OF THE OPEN AREA REQUIREMENTS.

In addition to the purposes of this Code as stated in Section 101, and the specific purposes of this Article as stated in Section 401, required open areas in Residential Districts are established to further the implementation of the objectives, principles and policies of the Urban Design Element and

other elements of the Master Plan, and for the following additional purposes:

(a) Assuring that dwelling units have access to natural light and air;

(b) Preserving neighborhood character by protecting existing private open spaces, yards and setbacks;

(c) Relating the depth of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance of new construction and additions to existing buildings;

(d) Maintaining a scale of development consistent with the location of adjacent buildings and promoting building forms that will respect and improve the integrity of open spaces and other public areas;

(e) Promoting harmony in the visual relationships and transitions between new and older buildings; and

(f) Assuring the provision of usable private or common open space for each dwelling unit to meet the outdoor living, recreation and landscaping needs of its occupants.

SEC. 441. TYPES OF OPEN AREAS (formerly part of Section 130).

Except as provided in Sections 172 and 188, open areas on lots in Residential Districts shall be provided and maintained as specified in this Part 5.

Open areas include front setbacks as provided in Section 442, side yards as provided in Section 443, rear yards as provided in Section 444, and usable open space, as provided in Section 447.

Only those obstructions and projections specified in Section 446, and no other obstruction, shall be constructed, placed or maintained within a required open area.

SEC. 442. FRONT SETBACK AREAS.

Minimum setbacks from the front property line shall be provided on all lots as required by subsections (a) and (b) below. In case of any conflict between the requirements of subsection (a) and subsection (b), the more restrictive requirements shall prevail.

(a) Legislated Setbacks.

(1) The legislated setback lines along specific street and alley frontages established by ordinance and resolution pursuant to former sections of the City Planning Code and earlier provisions of law are hereby continued in effect as regulations of the City Planning Code, regardless of the regulations for the use districts in which such street and alley frontages are located, and said ordinances and resolutions are expressly incorporated herein by reference.

(2) The procedures for establishment, abolition or modification of a legislated setback line shall be as specified in Sections 302 and 306 through 306.5 for amendments to this Code.

(b) Averaged Setbacks

In order to relate the front setback of a building to the existing front setbacks of adjacent buildings the following requirements shall apply.

(1) Basic Minimum Requirement and Method of Averaging. Where both of the buildings adjacent to a lot have front setbacks along the same street or alley as the lot, any building or addition constructed, reconstructed or relocated on the lot shall be set back to the average of the two adjacent front setbacks. If only one of the adjacent buildings has a front setback, or if there is only one adjacent building, the required setback shall be equal to one-half the front setback of the adjacent building.

If the subject lot is separated from the lot containing the nearest building by an undeveloped lot or lots for a distance of 50 feet or less parallel to the street or alley, the nearest building shall be deemed to

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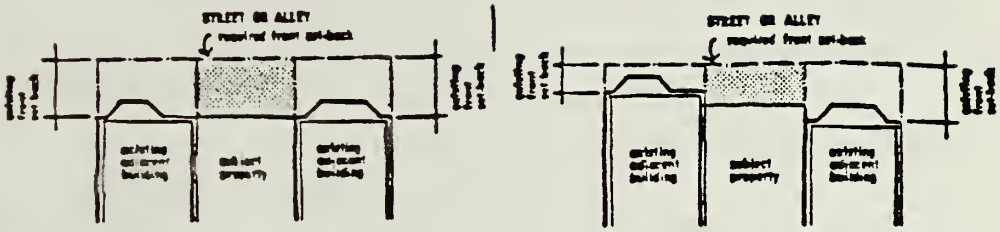
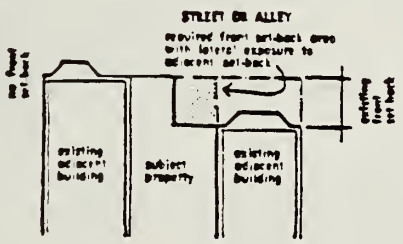
be an "adjacent building."



(2) Alternative Method of Averaging. The required setback may be averaged in an irregular manner within the depth between the setbacks of the two adjacent buildings, provided that:

(A) the area of the resulting setback shall be at least equal to the product of the width of the lot along the street or alley times the required setback depth; and

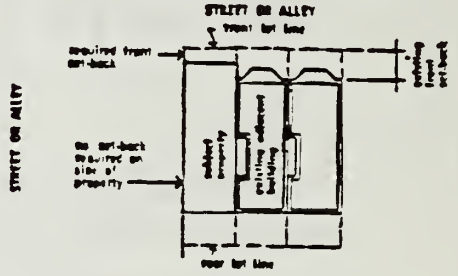
(B) all portions of the resulting setback area shall be directly exposed laterally to the setback area of the adjacent building having the greater setback, unless there is a prevalent pattern of receding and protruding building elements in the front building walls on the block, in which case the proposed front setback shall conform to that pattern.



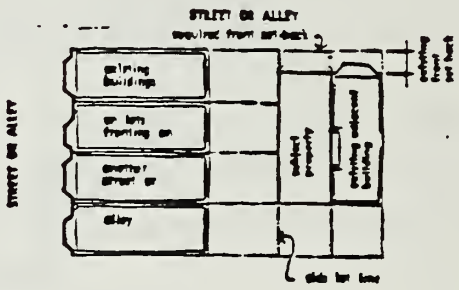
(3) Applicability to Special Lot Situations.

(A) Corner Lots and Lots at Alley Intersections. On a corner

lot, as defined by Section 102.15, or a lot at the intersection of a street and an alley or two alleys, a front setback area shall be required only along the street or alley elected by the owner as the front of the property. The required setback shall be equal to one-half the front setback of the adjacent building.



(B) Lots Abutting Properties that Front on Another Street or Alley. In the case of any lot that abuts along its side property line a lot fronting on another street or alley, the lot on which it abuts shall be disregarded, and the required setback shall be equal to the front setback of the adjacent building on its opposite side.



(4) Maximum Requirement. The maximum required front setback shall be 15 feet from the front property line, or 15 percent of the average

depth of the lot from the front property line, whichever is less.

(5) Method of Measurement. The extent of the front setback of each adjacent building shall be taken as the horizontal distance from the property line along the street or alley to the front building wall, excluding all projections from such wall, all decks and garage structures and extensions, and all other obstructions.

If the alternative method of averaging allowed in paragraph (2) has been used for a lot, the front setback of that lot shall, for the purpose of determining the setback of an adjacent lot, be considered to be a single line parallel to the street or alley as required by paragraph (1).

SEC. 443. SIDE YARDS IN RH-1(D) DISTRICTS.

(a) Minimum side yards for every lot in an RH-1(D) District shall be provided as follows:

1. For lots with a width of less than 28 feet: none.

2. For lots with a width of 28 feet or more but less than 31 feet: one side yard equal to the amount by which the lot width exceeds 25 feet, or the same total amount in the form of two side yards, one of which shall be at least three feet.

3. For lots with a width of 31 feet or more but less than 40 feet: two side yards each of three feet.

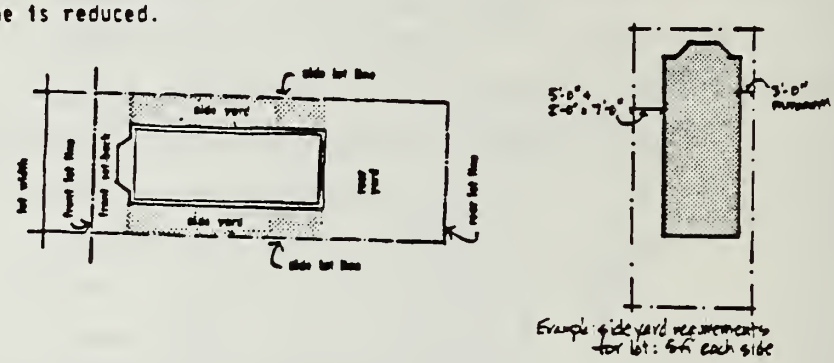
4. For lots with a width of 40 feet or more but less than 50 feet: two side yards each of four feet.

5. For lots with a width of 50 feet or more: two side yards each of five feet.

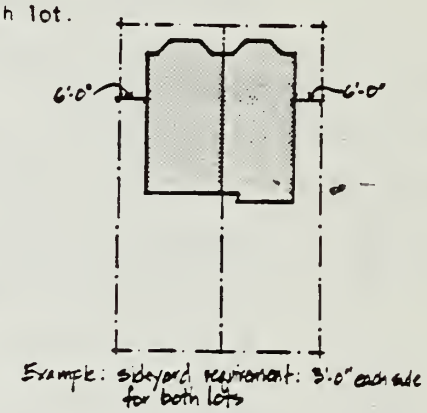
(b) Where the side property lines are not parallel to the side building walls, the side yard requirement above shall be applied to the average depth of the side yard along the buildable length of the lot, provided that all new side building walls are set back a minimum of one foot from the side property lines.

(c) Where the building does not exceed 25 feet in height, any side yard

required to be more than three feet in width may be reduced to three feet if the width of the other side yard is increased by the same amount as the first one is reduced.



(d) No side yard shall be required from a common side property line of two adjoining lots if a side yard of twice the required width is provided on the opposite sides of each lot.



SEC. 444. REAR YARDS

Rear yards shall be provided on all lots at grade level and at each succeeding level or story of the building as provided below.

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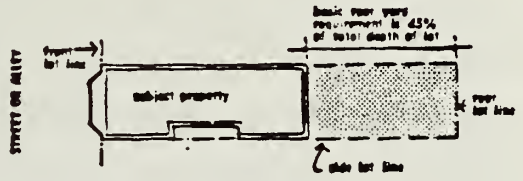
(a) RH, RM-1 and RM-2 Districts.

(1) Basic Rear Yard Requirements. In RH, RM-1 and RM-2 districts, the basic rear yard depth shall be equal to a minimum of 45 percent of the total depth of the lot on which the building is situated, or 15 feet, whichever is greater.


Basic rear yard requirement is 45% of total depth of lot
front lot line
STREET OR ALLEY
subject property
rear lot line
side lot line

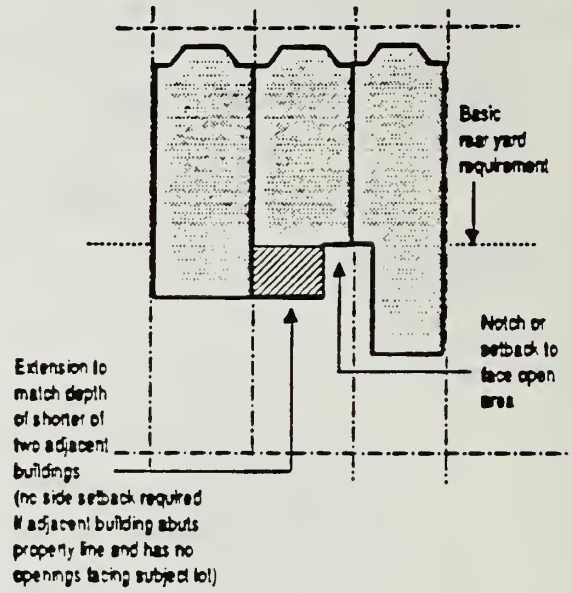
(2) Modification of Minimum Basic Rear Yard. The minimum basic rear yard required by subsection (a) shall be modified when certain conditions exist on adjacent lots, as indicated below, provided that in no case shall the rear yard be less than 25% of the lot depth or 15 feet, whichever is greater. The rear yard reductions allowed by paragraphs (A) and (B) below are not cumulative.

(A) Reduced Rear Yard To Match the Rear Yard of the Shorter of Adjacent Buildings.

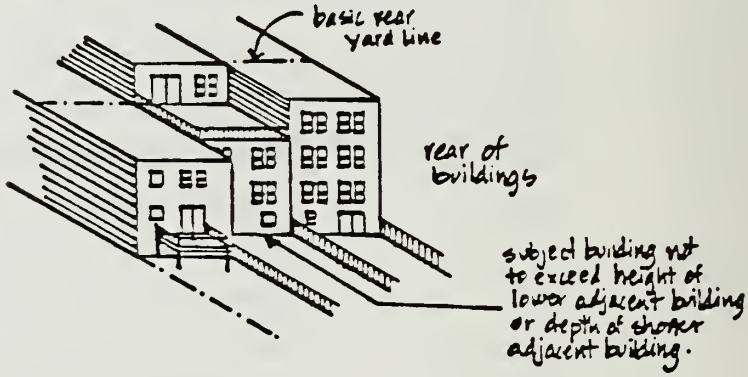
(i) General Rule. The basic rear yard shall be reduced to a yard established by a line extended parallel to the front property line from the rear building wall of the shorter of the two adjacent buildings fronting on the same street or alley. There shall be a total setback from the side property lines of ten feet, and no side set back shall be reduced to less than three feet, or in RH-1(D) districts, less than the minimum required side yard for the lot as provided in Section 443.

No side set back shall be required for the portion of the rear extension that is adjacent to a street or alley, or abuts a side building wall that contains no windows or openings at the

level of the extension, except as required for RH-1(D) districts as provided in Section 443. Where only one side setback is required, it shall not be less than five feet.


Basic rear yard requirement
Notch or setback to face open area
Extension to match depth of shorter of two adjacent buildings
(no side setback required if adjacent building abuts property line and has no openings facing subject lot)

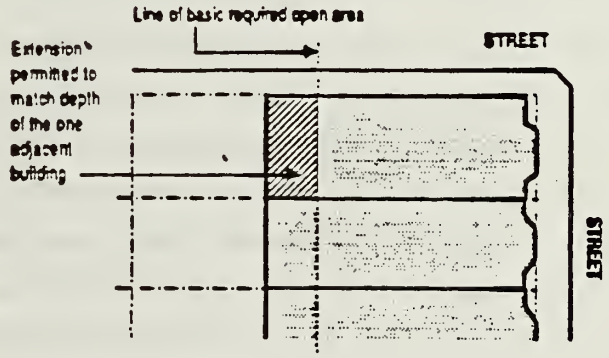
The height of the portion of the building extending beyond the basic rear yard requirement shall be limited to the height of the lower of the two adjacent buildings, but shall not exceed the height limit for the lot as provided in Section 454.


basic rear yard line
rear of buildings
subject building not to exceed height of lower adjacent bilding or depth of shorter adjacent building.

(11) Rule for Adjacent Lots Not Containing a Residential Building. Where a lot adjoining the subject lot is vacant, or

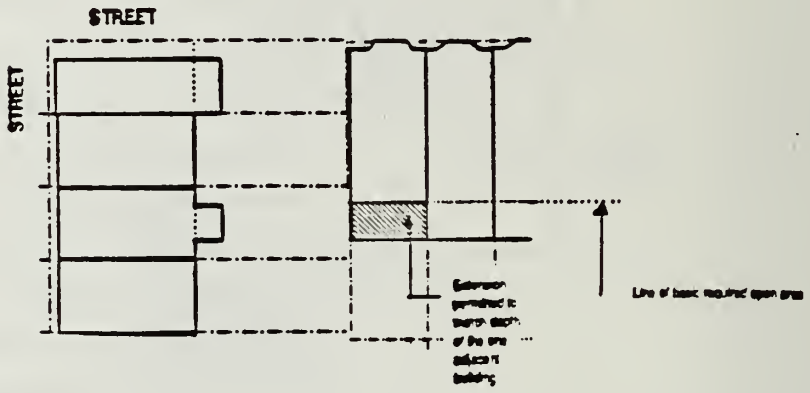
contains no residential building, it shall be assumed to have a building upon it whose rear building wall is at its basic rear yard line. The height of the portion of the building extending beyond the basic rear yard line shall be limited to the lower of the one adjacent building but shall not exceed the height limit for the lot as provided in Section 454.

(iii) Rule for Corner Lots. On a lot at the intersection of two streets, a street or an alley, or two alleys, the building may extend up to a line on the subject lot which is at the depth of the rear building wall of the one adjacent building fronting on the same street or alley. The portion of the building extending beyond the basic rear yard line shall be set back from the side property lines as provided in paragraph (1). The height of the portion of the building extending beyond the basic rear yard requirement shall be limited to the height of the lower of the two adjacent buildings, but shall not exceed the height limit for the lot as provided in Section 454.



(iv) Rule for Lots Abutting Properties with Buildings that Front on Another Street or Alley. If an adjacent building fronts on another street or alley, that building shall be disregarded and the rear building may extend to the depth of the

rear building wall of the adjacent building fronting on the same street or alley. The portion of the building extending beyond the basic rear yard line shall be set back from the side property lines as provided in paragraph (1). If both adjacent buildings front on another street or alley, both buildings shall be disregarded and the extension described in paragraph (1) shall not be permitted.



(B) Reduced Rear Yard to Match a Pattern of Rear Yards. As an exception to the requirements of paragraph (1), a basic rear yard may be reduced to accommodate an unenclosed or enclosed extension of the dimensions provided in paragraphs (ii), (iii) and (iv) below, provided that the Zoning Administrator determines that there is a pattern of similar extensions at the rear of the buildings located in the same cluster of buildings as the subject building.

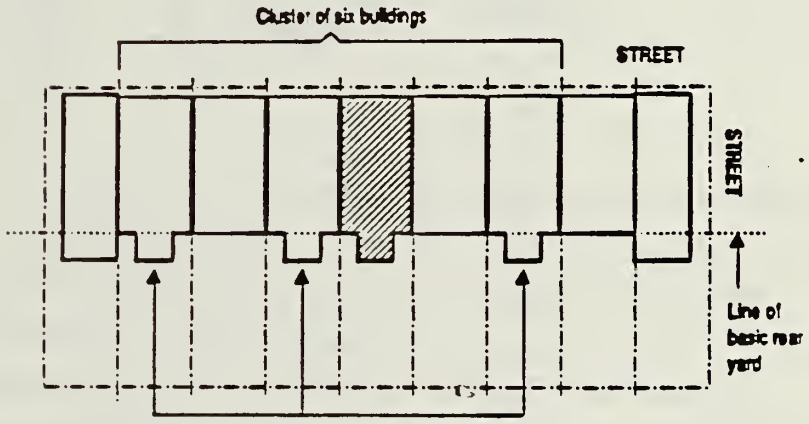
(i) Definitions. As used in this sub-paragraph, the following terms have the following meanings:

"Pattern" means a majority of the buildings in the cluster, excluding the subject building, have extensions of similar size beyond the line establishing the basic rear yard.

"Cluster" means any six adjacent buildings, including the

subject building, on the same blockface.

"Similar size" means extensions of approximately 12 feet in depth, covering approximately 50% of the width of the lot as can reasonably be determined by the Zoning Administrator from examination of Sanborn Maps and of any photographs submitted by the applicant or an objector.

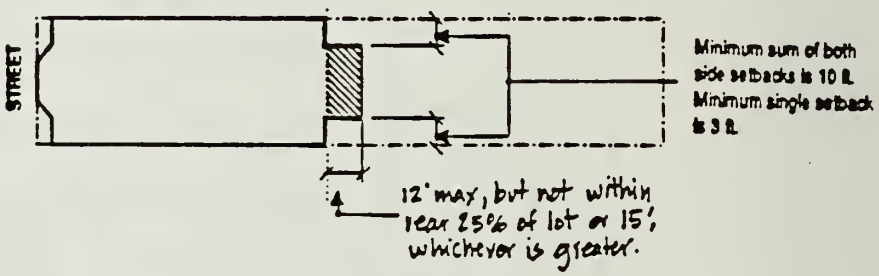

Cluster of six buildings
STREET
STREET
Line of basic rear yard
Majority of buildings in cluster, excluding subject building, have rear extensions

(ii) Side Setbacks. The portion of the building extending beyond the line of the basic rear yard provided in Section 444 (a)(1), shall have a total setback from the side property lines of ten feet, and shall not extend within three feet of either side property line, except that no side setback shall be required for the portion of the rear extension that is adjacent to a street or alley, or is adjacent to a side building wall that contains no windows or openings at the level of the extension. If only one side setback is required, then it shall not be less than five feet. However, if the subject lot is located within an RH-1(D) district, then the minimum side yard requirements required by Section 443 shall apply.

(iii) Height. The height of the portion of the building

extending into the otherwise required rear yard shall be limited to the more restrictive of either 24 feet above grade or the floor level of the second floor of occupancy, excluding the ground story, at the rear of the building.

(iv) Depth. The building shall not extend beyond the basic rear yard by more than 12 feet.


STREET
Minimum sum of both side setbacks is 10 ft.
Minimum single setback is 3 ft.
12' max, but not within rear 25% of lot or 15', whichever is greater.

(C) Increased Yard of Lots Abutting Lots of Shorter Depth. In order to provide visual access to the mid-block open space for a building located on a lot that is shorter than, and faces the same street as an abutting lot, the Zoning Administrator may limit the extent of proposed construction on the longer lot beyond the depth of the basic rear yard line of the shorter lot. Each case shall be considered on its own merits. However, the following points shall be considered guidelines in these cases:

(i) An additional required open area shall be established on the subject lot within, and not less than 20% of the area between the line establishing the basic rear yard of the subjet lot and an extension of the line establishing the basic rear yard on the abutting shorter lot. This additional required open

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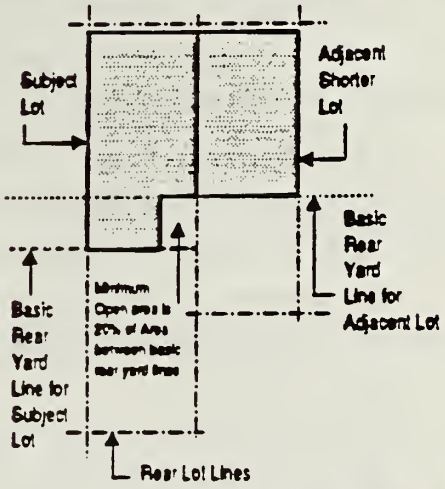
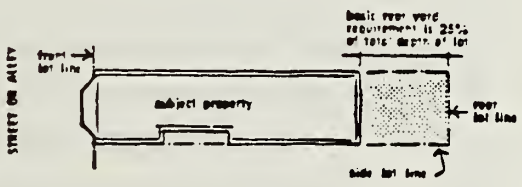
area shall abut the required open area of the shorter lot.


Subject Lot
Adjacent Shorter Lot
Basic Rear Yard Line for Adjacent Lot
Basic Rear Yard Line for Subject Lot
Rear Lot Lines

(ii) Additional reductions in the proposed height and depth of the portion of new construction or additions in question on the longer lot shall be considered to mitigate any obstruction of light, air, view and privacy.

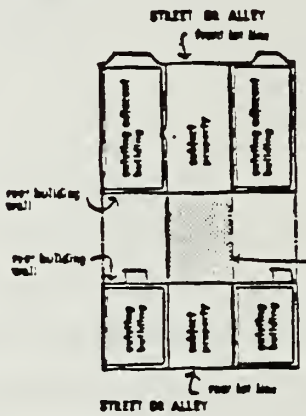
(b) RH-3, RH-4 and RE Districts. In RH-3, RH-4 and RE districts, the minimum rear yard depth shall be equal to 25 percent of the total depth of the lot on which the building is situated, or 15 feet, whichever is more.



(c) Modified Rear Yards of Through Lots which Abut Properties Containing Two Buildings. Where a lot is a through lot having both its front and its rear property line along a street and an alley, and the adjoining lots either have residential buildings that front on each street or alley on both sides of the subject through lot, or at least one adjoining lot is also a through lot

containing two residential buildings that front at opposite ends of the lot, the subject through lot may also have two buildings according to such established pattern, each fronting at different ends of the lot.

A yard equal in depth to the required basic rear yard or the reduced rear yard, if applicable, shall be located in the central portion of the lot, between the two buildings on such lot, and the depth of the rear wall of each building from the street or alley on which it fronts shall be established by the average of the depths of the rear building walls of the adjacent buildings fronting on that street or alley, except that the rear yard shall have a minimum depth of 25 percent of the lot depth or 25 feet, whichever is greater.



(d) Relocated Rear Yards in RE Districts. (new)

In RE Districts the open area required for the rear yard may be located elsewhere on the lot provided that the same square footage of open area is maintained and further provided that the Zoning Administrator determines that:

(1) relocation of the required open area will not result in a building which will significantly impede the access of light and air to adjacent properties or adversely affect the interior block open space formed by the rear yards of existing abutting properties; and

(2) relocation of the required open area will enhance its usability by the occupants of the building.

SEC. 445. RULES FOR MEASURING YARDS AND SETBACKS.

Yards and setbacks shall be measured in the manner set forth in Section 130(a), (b), (c), (d) and (e).

SEC. 446. PROJECTIONS INTO AND OBSTRUCTIONS WITHIN REQUIRED OPEN AREAS (Formerly Sec. 136, amended)

(a) Location. The projections and obstructions enumerated in this section are permitted in the manner specified, over and in the following required open areas:

(1) front setback areas, herein referred to as setbacks as required by Section 442;

(2) the rear yards required by Section 444, or the side yards required by Section 443, herein referred to as yards;

(3) usable open space, as required by Section 447; and

(4) streets and alleys.

Projections and obstructions permitted by Subsection (d)(1), (2) and (3) and Subsection (e) (2) (B) are not permitted on portions of a building extending beyond the basic rear yard line.

(b) Design. The projections into and obstructions within required open areas permitted by subsection (a) shall be designed to be attractive in appearance, and integrated and compatible with the design of the building.

(c) Prohibition of Obstructions and Projections Not Enumerated.

Only those obstructions specified in this Section and no other obstruction, shall be constructed, placed or maintained within a required open area. No motor vehicle, trailer, boat or other vehicle shall be parked or stored within any such area, except as specified in this Section.

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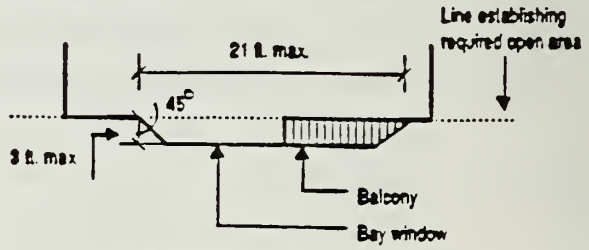
Streets and Alleys	Set Backs	Yards	Usable Open Space
	X	X	X

(d) Permitted Projections and Obstructions Limited In Combined Length and Area.

(1) Combined Projections and Obstructions. Bay windows, balconies, fire escapes and chimneys are permitted over and in the open areas and subject to the limitations specified in this subsection provided that:

(A) the width of each combination of such features at the line establishing the required open area is limited to 20 linear feet and the total projection of each combination beyond such line is limited in horizontal area to 45 square feet;

(B) The total width of all such features at the line establishing the required open area is limited to 80% of the width of the building wall and the total projection of all such features beyond such line is limited in horizontal area to 1.8 square feet for each linear foot of building wall; and



Area of obstructions not to exceed 1.8 sq ft for each foot of buildable length of building wall facing open area.

	Streets and Alleys	Bay Backs	Yards	Usable Open Space
6	X	X	X	X

(C) the limitations on the depth of the horizontal projection into the required open area and on the proximity of one projection or obstruction to another and to the side property line are limited as specified below.

(2) Bay Windows and Balconies. Bay (projecting) windows, balconies, and similar features that increase either the floor area of the building or the volume of space enclosed by the building above grade, when limited as specified herein.

(A) The minimum headroom shall be 7-1/2 feet over yards and usable open space, or such greater clearance over streets, alleys and public right-of-ways, as may be required by the Building Code. No headroom is required for bay windows over front setbacks.

(B) The maximum horizontal projection into the required open area shall be three feet, except that balconies may project into the rear yard up to 4 1/2 feet, but not more than 1/6 of the required minimum depth of the open area. Projection over streets and alleys shall be further limited to two feet where the sidewalk width is nine feet or less, and the projection shall in no case be closer than eight feet to the center line of any alley.

(C) The glass areas of each bay window, and the open portions of each balcony, shall

	Streets and Alleys	Rear Backs	Yards	Usable Open Space
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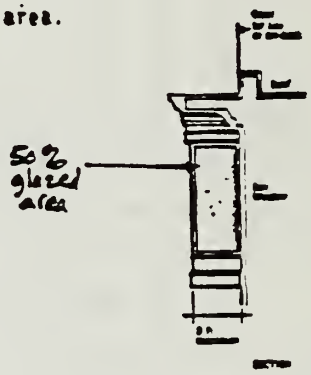
be not less than 50% of the sum of the areas of the interior vertical surfaces of such bay window or balcony above the required open area.

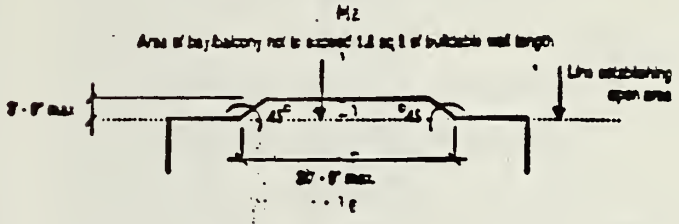


(D) The maximum length of each bay window, balcony or combination of bay window and balcony shall be 20 feet at the line establishing the required open area which maximum length shall be reduced by 45 degree angles drawn inward from the ends of such 20 foot dimension.

(E) The total area of the horizontal projection of the features into the required open area at any height of the building wall shall not exceed 1.8 square feet for each linear foot of buildable width of the building wall and shall not exceed 45 square

Streets and Alleys	Rear Yards	Usable Open Space

feet for each bay window, balcony or bay window/balcony combination.



(F) The minimum horizontal separation between each bay window, balcony or bay window/balcony combination shall be two feet at the line establishing the required open area, and shall increase with the distance from this line at a 135 degree angle drawn away from the interior property line, or such that the minimum average separation is five feet, whichever is less restrictive.

(G) The minimum distance from an interior property line and a bay window, balcony or bay window/balcony combination shall be one foot at the line of the required open area, and shall increase at a 135 degree angle drawn away from the interior property line.

Streets and Alleys	Set Backs	Yards	Usable Open Space

(2) Fire Escapes. Fire escapes leaving at least 7-1/2 feet of headroom exclusive of drop ladders to grade or such greater vertical clearance as may be required by the Building Code and other applicable codes, and not projecting more than necessary for safety or in any case more than 4-1/2 feet into the required open area.

(3) Chimneys. Chimneys not extending more than three feet into the required open area or 1/6 of the required minimum dimension (when specified) of the open area in yards only, whichever is less.

(e) Other Permitted Projections and Obstructions Not Limited in Combined Length and Area. The following projections and obstructions are permitted over and in the open areas and subject to the limitations specified in this subsection without limitation of their combined length or area.

Sts. and Al-leys	Set-Bk.s.	Yds.	Usa-ble Open Sp.
X	X	X	X

(1) Architectural and Decorative Projections.

(A) Overhead horizontal projections (leaving at least 7-1/2 feet or greater

Streets and Alleys	Set Backs	Yards	Usable Open Space

headroom as required by the Building Code) of a purely architectural or decorative character such as cornices, eaves, trellises, sills and belt courses, with a vertical dimension of no more than two feet six inches, not increasing the floor area or the volume of space enclosed by the building, and not projecting more than:

(i) At roof level, three feet over streets and alleys and into setbacks, or three feet beyond the perimeter of, and parallel to the surfaces of bay windows in such required open areas immediately below such horizontal projections, whichever is the greater projection;

(ii) At every other level, one foot over streets and alleys and into setbacks; and

(iii) Three feet into yards and usable open space, or 1/6 of the required minimum dimensions (when

	Streets and Alleys	Set Backs	Yards	Usable Open Space
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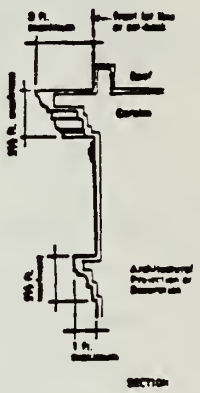
specified) of such open areas, whichever is less.



(B) Intermittent overhead projections of architectural, structural or decorative character, such as brackets, columns and capitals, with a horizontal dimension of no more than 2-1/2 feet, projecting into the required open area no more than:

(1) 3 feet at roof level;

(2) 1-1/2 feet at their lowest extent, which shall be 7-1/2 feet above grade over streets and alleys, or such greater clearance as may be required by the Building Code; and at grade in setbacks, yards and usable open space; and

(3) a varying depth that diminishes in linear proportion to the distance from the roof level to the lowest extent.

	Streets and Alleys	Set Backs	Yards	Usable Open Space
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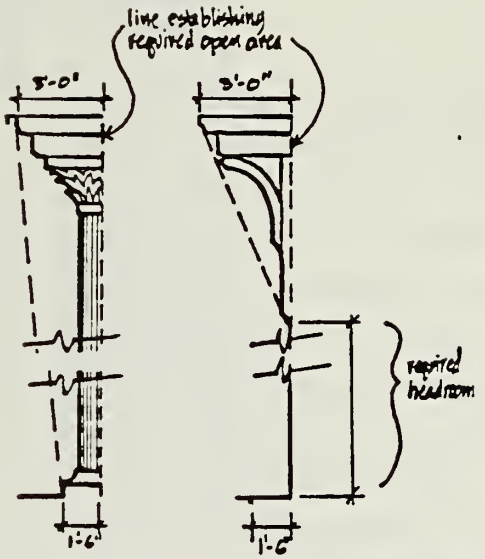

(C) Horizontal projections of a purely architectural or decorative character such as eaves, sills, belt courses, cornices, trellises or windows and door frames, limited in depth to six inches beyond the surface of other permitted projections into the required open area, or on the surface of the building wall when located within the required headroom below such projections.

2. Decks.

A. Decks, whether attached to a

	Streets and Alleys	Set Backs	Yards	Usable Open Space
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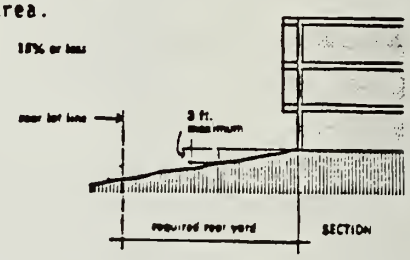
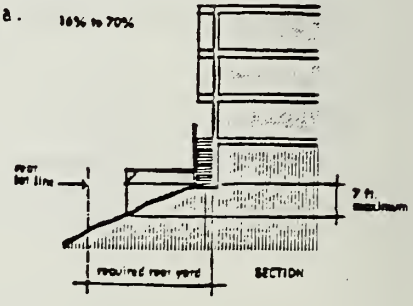
building or not, if developed as usable open space and meeting the following requirements:

(i) Slope of 15% or less from the rear building wall to the rear property line. The floor of the deck shall not exceed a height of three feet above grade at any point in the required open area.



(ii) Slope of more than 15 percent and no more than 70 percent from the rear building wall to the rear property line. The floor of the deck shall not exceed a height of three feet above grade at any point within three feet of any property line bordering the required open area, nor shall the vertical distance measured up from grade to the floor of the deck exceed seven feet at any point in the required open area.



	Streets and Alleys	Set Backs	Yards	Usable Open Space
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(iii) Slope of more than 70 percent from the rear building wall to the rear property line. Because in these cases the normal usability of the required open area is seriously impaired by the slope, a deck covering not more than 1/3 the area of the required open area, provided that the view, privacy, and access to light and air of adjacent lots are not seriously affected. Each such case shall be considered on its individual merits. However, the following points shall be considered guidelines in these cases:

(aa) The deck shall be designed to provide the minimum obstruction to light, air, view and privacy;

(bb) The deck shall be at least three feet inside all side property lines;

(cc) On downhill slopes, the deck shall be kept at least 10 feet inside the rear property line; and

(dd) The deck shall be no higher than the height of grade at

	Streets and Alleys	Set Backs	Yards	Usable Open Space
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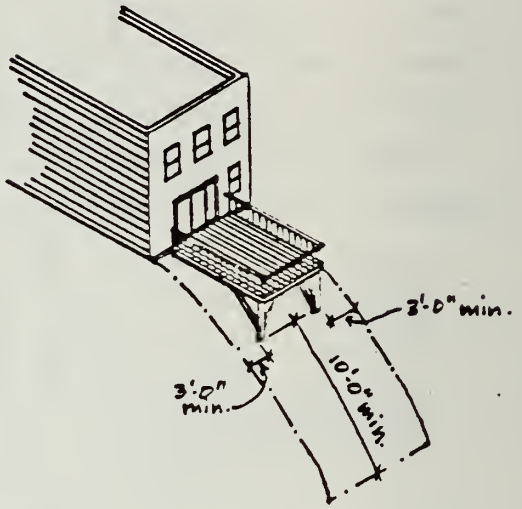
the line establishing the basic rear yard.



B. Decks, when attached to buildings and developed as usable open space, meeting the following requirements:

(i) The floor of the deck shall not be higher than the floor level of the second floor of occupancy;

(ii) The deck shall not extend beyond the line of the basic rear yard for more than twelve feet; and

(iii) The deck shall be set back a total of ten feet from the side property lines and shall not extend within three feet of any side property line, except that a side setback shall not be required for the portion of the deck that is adjacent to a street or alley, or to a side building wall that

	Streets and Alleys	Set Backs	Yards	Usable Open Space
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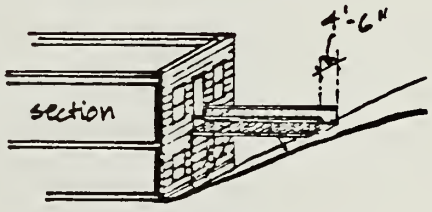
contains no windows or openings.

3. Bridges.

Bridges, used to connect usable open space to a building on a lot having an upslope greater than 15% from the rear building wall to the rear property line, or used to connect the street to a building on a lot sloping down from the street to the front building wall at a slope greater than 15%, when limited to the height of the floor level of the second story above grade, provided that the bridge does not exceed 4 1/2 feet in width and is more than three feet from any side property line.



4. Fences, and Windscreens.

(A) Fences and windscreens no more than three feet in height above grade, or above a retaining wall used to maintain the approximate natural grade, in setbacks, and B

	Streets and Alleys	Set Backs	Yards	Usable Open Space
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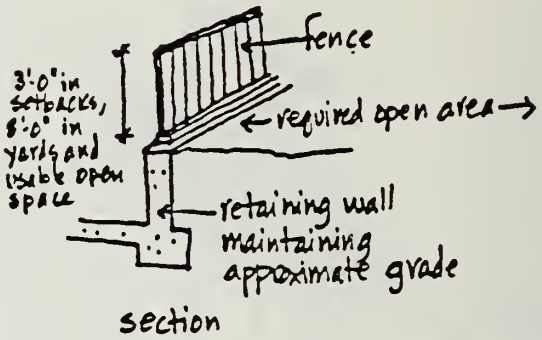
feet in yards and usable open space.


fence
3'-0" in setbacks, 8'-0" in yards and usable open space
required open area
retaining wall maintaining approximate grade
section

5. Railings and Grille Work.

A. Railings no more than the height for a safety railing required by the Building Code above any permitted step, stairway, landing, fire escape, deck, porch or balcony, or above the surface of any other structure permitted in the required open area.

B. Decorative railings and grille work, other than wire mesh, at least 75% open to perpendicular view, and no more than eight feet in height in front setbacks, yards and usable open space.

6. Steps.

A. Steps of any type not more than three feet above grade.

B. Uncovered stairways and landings not extending higher than the floor level of the adjacent first floor of occupancy above the ground story, and:

	Streets and Alleys	Set Backs	Yards	Usable Open Space
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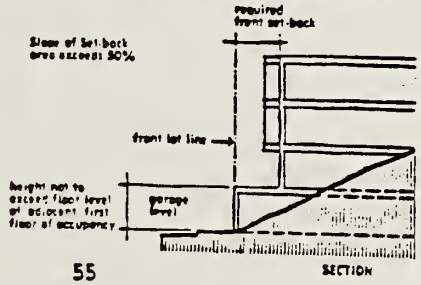
(i) for any portion that is more than three feet above grade, extending no more than six feet into yards and usable open space, and three feet into setbacks; and

(ii) occupying no more than 2/3 the buildable width along the front, rear or street side building wall, or 1/3 the buildable length along a side building wall facing an interior side property line.

7. Garages and Driveways.

(A) Garages which are underground, or under decks conforming to the requirements of Paragraph (2) above, the top surfaces of which are developed as usable open space;

(B) Garages where the average slope of the required front setback ascends from the street property line to the line of the setback and exceeds 50 percent, provided that the height of the garage is limited to 10 feet above grade, or the floor level of the adjacent first floor of occupancy on the subject property, whichever is less;



SECTION

	Streets and Alleys	Set Backs	Yards	Usable Open Space
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(C) Garages enclosing exposed off-street parking which is a legal, nonconforming use of an open area. The garage structure shall not exceed 10 feet in height above grade and may incorporate a roof deck and railing, provided that the view, privacy, and access to light and air of the adjacent lots are not seriously affected.

(D) Garages, where both adjoining lots (or the one adjoining lot where the subject property is a corner lot) contain a garage structure within the required front setback area on the same street or alley, or where the adjacent building with the greater setback has a garage located within that setback, not to extend

(i) more than ten feet above grade in height,

(ii) beyond the average width of the adjacent garage structure(s), and

(iii) beyond the setback of the one adjacent building, if any, with the lesser setback and without a garage

	Streets and Alleys	Set Backs	Yards	Usable Open Space
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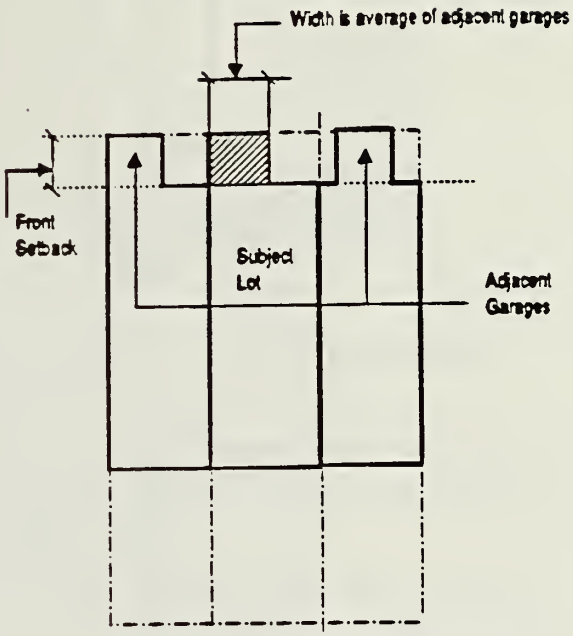
located within that setback.



(E) Garages on a through lot having both its front and its rear property line along a street and an alley, or an easement driveway extending through at least 1/2 of the subject block and both adjoining lots (or the one adjoining lot where the subject property is a corner lot) contain a garage structure within the required rear yard, provided the garage does not exceed ten feet in height above grade and 24 feet in depth from the line of the adjacent easement,

	Streets and Alleys	Set Backs	Yards	Usable Open Space
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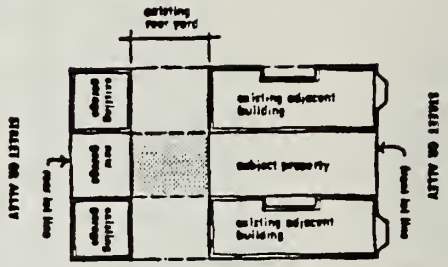
street or alley;



(F) Garages on corner lots and on lots located in an area with covenants or deed restrictions prohibiting garages located in the front half of the lot, provided that a minimum rear yard of 25% of the lot depth, or 25 feet, whichever is greater, is located elsewhere on the lot.

(G) Driveways, for use only to provide necessary access to required or permitted parking that is located on the subject property other than in a required open area, and where such driveway has only the minimum width needed for such access, in yards and setbacks only.

8. Retaining Walls. Retaining walls that are necessary to maintain approximately the grade existing at the time of construction of a building in setbacks, yards and usable open space only. Other retaining walls and the grade maintained by them shall be subject to the same

	Streets and Alleys	Set Backs	Yards	Usable Open Space
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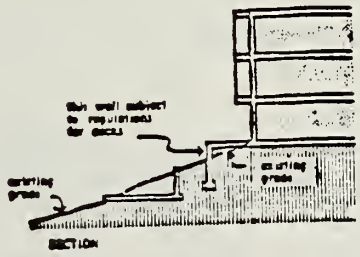
regulations as decks (see paragraph 2 above).



9. Landscaping, Garden and Recreation Structures.

(A) Normal outdoor recreational and household features such as play equipment and drying lines;

(B) Landscaping and garden furniture.

(C) Garden structures enclosed by walls on no more than 50 percent of their perimeter, such as gazebos, trellises, pergolas and sunshades, if no more than ten feet in height above grade and covering no more than the greater of 100 square feet of land or 10% of the required open space.

(D) Other structures commonly used in gardening and recreation activities, such as saunas, greenhouses and sheds for storage of garden tools, if no more than ten feet in height above grade and covering no more than 100 square feet of land;

10. Awnings and Canopies.

Awnings and canopies in RM-3 and RM-4 Districts, bearing only the name or address of

	Streets and Alleys	Set Backs	Yards	Usable Open Space
		X	X	X
		X		

the residential building to which they are attached, as regulated by the Building Code and as further limited by Sections 136.1(a)(1) and 136.1(b)(2).

11. Flagpoles.

Flag poles for projecting flags permitted by this Code.

12. Signs.

Signs as regulated by Sec. 481.

SEC. 447. USABLE OPEN SPACE

Private or common usable open space shall be provided for each lot in the minimum amounts specified below for the district in which the lot is located, according to the standards set forth in this Section. As used in this section, "private usable open space" means an area or areas private to and designed for use by only one unit (or bedroom in group housing), and "common usable open space" means an area or areas designed for use jointly by two or more units (or bedrooms in group housing).

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(a) Minimum Requirements. Private or common open space shall be provided for dwelling units, dwelling units for elderly or disabled persons, group housing, and live/work units in the minimum amounts shown on the following table.

Table 447

MINIMUM USEABLE OPEN SPACE REQUIREMENTS

RESIDENTIAL USE DISTRICT	SQUARE FEET OF PRIVATE OPEN SPACE				RATIO OF COMMON USEABLE OPEN SPACE SUBSTITUTED FOR PRIVATE
	Dwelling Unit	Dwelling Unit for Elderly and Disabled	Group Housing	Live/Work Unit	
	(Per Unit)	(Per Unit)	(Per Bedroom)[1]	(Per Unit)	
RH-1(D), RH-1	300	150	100	36	1.33
RH-1(S)	300 for 1st unit, 100 for minor 2nd	150 for 1st unit, 50 for minor 2nd	100 for 1st unit, 33 for minor 2nd	36	1.33
RH-2	125	62 1/2	41 2/3	36	1.33
RH-3	100	50	33 1/3	36	1.33
RM-1	100	50	33 1/3	36	1.33
RM-2	80	40	26 2/3	36	1.33
RM-3	60	30	20	36	1.33
RM-4	36	18	12	36	1.33
RE	60	30		36	1.33

[1]The numbered bedrooms on a lot shall be considered to be not less than one bedroom for each two beds. Where the actual number of beds on average of two beds for each bedroom, each two beds shall be considered equivalent to one bedroom.

(b) Character of Space Provided. Usable open space shall be composed of an outdoor area or areas designed for outdoor living, recreation or landscaping, including such areas on the ground and on decks, balconies, porches and roofs, which are safe and suitably surfaced and screened, and which conform to the other requirements of this Section. Such area or areas shall be on the same lot as the dwelling units bedrooms in group housing or live/work units they serve, and shall be designed and oriented in a manner that will make the best practical use of available sun and other climatic advantages.

(c) Access. Usable open space shall be as close as is practical to the unit (or bedroom in group housing) for which it is required, and shall be accessible from such unit or bedroom as follows:

(1) Private usable open space shall be directly and immediately accessible from such unit or bedroom; and shall be either on the same floor level as such unit or bedroom, with no more than one story above or below such floor level with convenient private access.

(2) Common usable open space shall be easily and independently accessible from such unit or bedroom, or from another common area of the building or lot.

(d) Slope. The slope of any area credited as either private or common usable open space shall not exceed five percent.

(e) Private Usable Open Space.

(1) Minimum Dimensions and Minimum Area. Any space credited as private usable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 square feet if located on a deck, balcony, porch or roof, and shall have a minimum horizontal dimension of 10 feet and a minimum area of 100 square feet if located on open ground, a terrace or the surface of an inner or outer court.

(2) Exposure. In order to be credited as private usable open space, an area must be kept open in the following manner:

(A) For decks, balconies, porches and roofs, at least 30 percent of the perimeter must be unobstructed except for necessary railings.

(B) In addition, the area credited on a deck, balcony, porch or roof must either face a street, face or be within a rear yard, or face or be within some other space which at the level of the private usable open space meets the minimum dimension and area requirements for common usable open space as specified below.

(C) Areas within inner and outer courts, as defined by this

Code, must either conform to the standards of Subparagraph (f)(2) below or be so arranged that the height of the walls and projections above the court on at least three sides (or 75 percent of the perimeter, whichever is greater) is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontaliy distant from the opposite side of the clear space in the court, regardless of the permitted obstruction referred to in Section 446.

(3) Use of Fire Escapes. Normal fire escape grating shall not be considered suitable surfacing for usable open space. The steps of a fire escape stairway or ladder, and any space less than six feet deep between such steps and a wall of the building, shall not be credited as usable open space. But the mere potential use of a balcony area for an emergency fire exit by occupants of other units (or bedrooms in group housing) shall not prevent it from being credited as usable open space on grounds of lack of privacy or usability.

(4) Use of Solariums. The area of a totally or partially enclosed solarium shall be credited as private usable open space if (i) such area is open to the outdoors through openings or clear glazing on not less than 50 percent of its perimeter and (ii) not less than 30 percent of its overhead area and 25 percent of its perimeter are open or can be opened to the air.

(f) Common Usable Open Space.

(1) Minimum Dimensions and Minimum Area. Any space credited as common usable open space shall be at least 15 feet in every horizontal dimension and shall have a minimum area of 300 square feet.

(2) Use of Inner Courts. The area of an inner court, as defined by this Code, may be credited as common usable open space, if the enclosed space is not less than 20 feet in every horizontal dimension and 400 square feet in area; and if (regardless of the permitted obstructions

referred to in Section 446) the height of the walls and projections above the court on at least three sides (or 75 percent of the perimeter, whichever is greater) is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court.

(3) Use of Solariums. The area of a totally or partially enclosed solarium may be credited as common usable open space if the space is not less than 15 feet in every horizontal dimension and 300 square feet in area; and if such area is exposed to the sun through openings or clear glazing on not less than 30 percent of its perimeter and 30 percent of its overhead area.

SEC. 448. ORIENTATION OF DWELLING UNITS TO OPEN AREAS.

In each dwelling unit, the required windows (as defined by Section 501.4 of the Housing Code) of at least one room that meets the 150 square foot minimum superficial floor area requirement of Section 503(b) of the Housing Code shall face directly on an open area which is:

(a) A public street, public alley at least 25 feet in width, side yard at least 25 feet in width, or rear yard meeting the requirements of Section 444; provided, that if such windows are on an outer court whose width is less than 25 feet, the depth of such court shall be no greater than its width; or

(b) An open area (whether an inner court or a space between separate buildings on the same lot) which:

(1) is unobstructed (except for those obstructions permitted in Section 446(c)(2) and (3), and (d)(1), (4), (5), (6), (7)(C) and (E), and (9)(A)) and

(2) is no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor.

PART 5. HEIGHT AND BULK

SEC. 450. ESTABLISHMENT AND EFFECT OF HEIGHT AND BULK DISTRICTS.

(a) In order to carry out the purposes of this Code, height and bulk districts are hereby established, subject to the provisions of this Article.

(b) No building or part thereof shall be permitted to exceed, except as stated in this Article and Sections 172 and 188, the height and bulk limits set forth in this Article for the district in which it is located.

SEC. 451. PURPOSE OF HEIGHT AND BULK DISTRICTS.

In addition to the purposes of this Code as stated in Section 101, and the specific purposes of this Article as stated in Section 401, building height and bulk limitations are established to further the implementation of the priority policies stated in Section 101.1 and the objectives, principles and policies of the Urban Design Element and other elements of the Master Plan, and for the following additional purposes:

(a) Relating the height and bulk of buildings to important attributes of the city pattern;

(b) Relating the height and bulk of buildings to the prevailing scale and character of development to avoid an overwhelming or dominating appearance of new construction and additions to existing buildings;

(c) Promoting building forms that relate to the city's topography and respect and improve the integrity of open spaces and other public areas;

(d) Promoting harmony in the visual relationships and transitions between new and older buildings; and

(e) Protecting and improving of important city resources and neighborhood environment.

SEC. 452. CLASSES OF HEIGHT AND BULK DISTRICTS.

Residential Districts are located within height and bulk districts as shown on Sectional Maps 1 H through 13 H of the Zoning Map of the City and County of San Francisco. The height and bulk limits for each such district

are specified on the map by numerical designations in feet, and the bulk limits are designated thereon by letter symbols referring to the limitations upon the plan dimensions of buildings above a certain height as set forth in Section 456. The height shown on the map is a maximum height, subject to certain exceptions as provided in Section 455, and is further limited as provided in Section 454.

SEC. 453. RULES FOR MEASURING HEIGHT.

(a) Definition of Terms.

Height in feet is the vertical distance by which a building rises above certain points of measurement as described in Subsection (b). Various terms used in describing these points of measurement are defined as follows:

(1) "Basic rear yard line" means the line established by application of Section 444(a)(1).

(2) "Building step" means the increment of width resulting from the application of the rules regarding lateral slopes as provided in Paragraph (e).

(3) "Centerline" of a lot or building step is the line equidistant from the side property lines or, if applicable, the side lines of the building step as provided in Subsection (e) below.

(4) "Curb level" means the ground elevation at the point of measurement of the curb of the street or alley which the front of the lot faces.

(5) "Front setback line" means a setback required by Section 442.

(6) "Grade" means the ground elevation, as defined in Section 497.10.

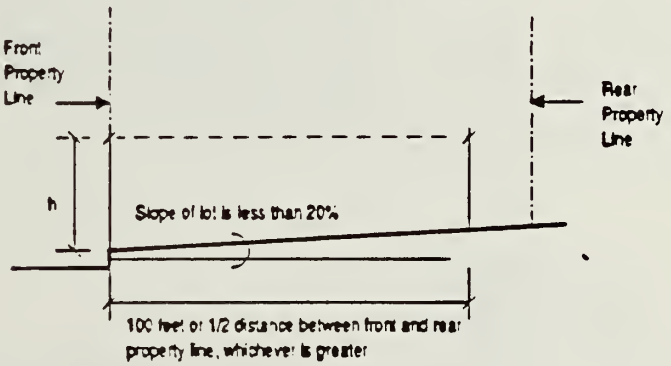
(7) "Midpoint" means the point which is equidistant from the front property line, or, if applicable, the required front setback line, and the basic rear yard line at the

centerline.

(8) "Permitted height" means the height permitted by Section 453(a)(1)(A), Section 453(a)(1)(B), the first sentence of Section 453(a)(1)(C), Section 453(a)(2), or Section 453(b) depending on the slope of the lot and the residential district in which the lot is located.

(b) Level or Gently Sloping Lots.

On level or gently sloping lots (lots with a slope of less than 20%), height shall be measured from the center line extended horizontally at the permitted height above curb level to a point which is 100 feet from the front property line, or one-half the horizontal distance between the front and rear property lines whichever is greater, and then from the center line extended from that point to the rear property line at grade.


Front Property Line
Rear Property Line
h
Slope of lot is less than 20%
100 feet or 1/2 distance between front and rear property line, whichever is greater

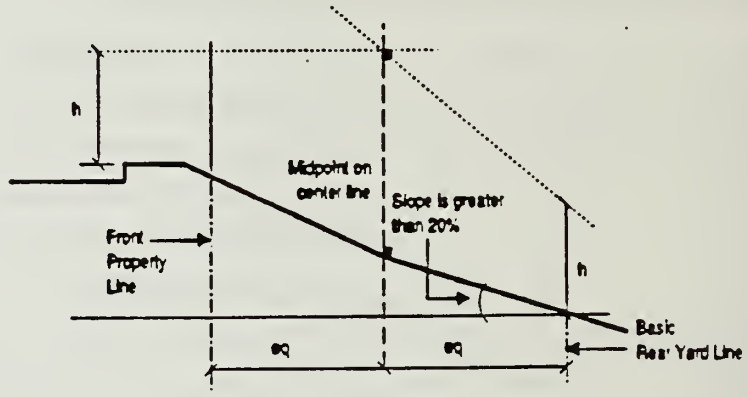
(c) Steep Downsloping Lots.

On steep downsloping lots (lots with a downslope of 20% or more), height shall be measured

(1) from the center line extended at curb level horizontally away from the front property line at the permitted height above curb level or, if applicable, front setback line to the midpoint between the front property line and the basic rear yard line and

(2) from the inclining center line from that midpoint to the

permitted height above grade at the basic rear yard line.



(d) Steep Upsloping Lots.

On steep upsloping lots (lots with an upslope of 20% or more), height shall be measured

(1) from the center line extended horizontally at the permitted height above grade from the basic rear yard line to the midpoint between the basic rear yard line and the front property line or, if applicable, front setback line, and

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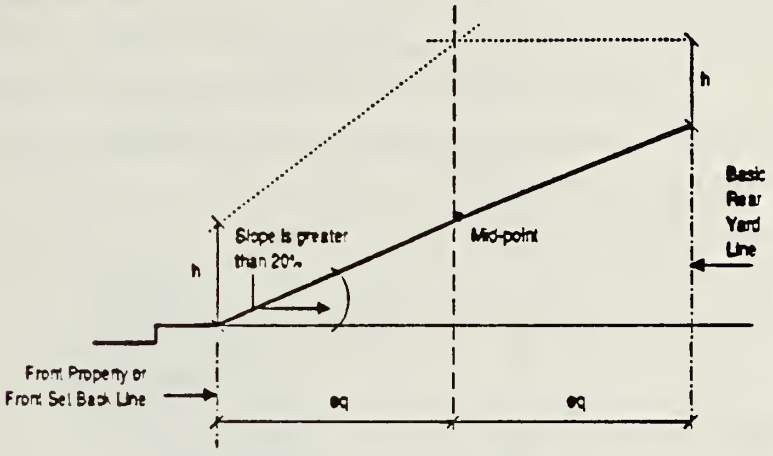
(2) from a declining center line from that midpoint to the permitted height above the curb level of the front property line at curb level or, if the front setback line is 10 feet or more from the front property line, above grade at the front setback line.



(e) Laterally Sloping Lots. Where a street from which height measurements are made slopes laterally along the lot, the maximum width for the portion of the building that may be measured from a single point at grade shall be as follows:

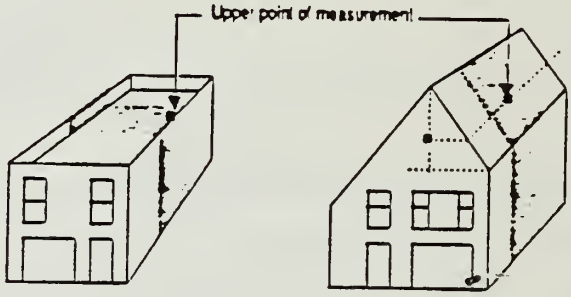
Average Slope of Curb or Ground From Which Height is Measured	Maximum Width for Portion of Building that May Be Measured from a Single Point
5% or less	No requirement
More than 5% but no more than 15%	65 feet
More than 15% but no more than 20%	55 feet
More than 20% but no more than 25%	45 feet
More than 25%	35 feet

Each increment of width is referred to as a building step. The sidelines of each building step are determined by dividing the front property line or

required setback line into the building steps as required above and dividing the rear property line by an equal number of building steps and connecting the points.

(f) Upper Point of Measurement.

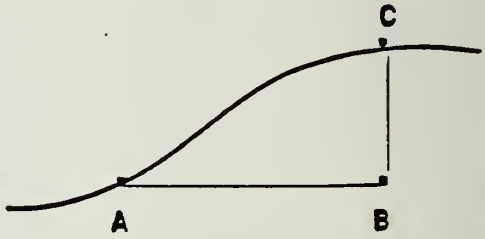
The upper point of measurement of height within any transversal section of a building is the highest point of a finished flat roof, or in the case of a pitched, stepped, or similarly sculptured finished roof, a point at half the rise between the ridge and the point where the sloping roof meets the highest exterior wall. The upper point excludes features listed in Section 455.



(g) Measurement of the Slope of a Lot. The slope of a lot expressed as a percentage shall be determined by calculating as a percentage the difference in feet between the elevations of the front property line and the basic rear yard line and the horizontal distance in feet between the front property line and the basic rear yard line.

The slope is the distance between B and C stated as a percentage of the distance between A and B.

(Slope=BC divided by AB X 100)



(h) Lots with Frontage on Several Streets. Where the lot has frontage on two or more streets, the applicant may choose the street or streets from which the measurement of height is to be taken, within the scope of the rules stated in this subsection.

SEC. 454. BUILDING HEIGHT LIMITATIONS. (Former 261, major changes)

The height of buildings is subject to the following limitations:

(a) Height Limitations in RH-1(D), RH-1 and of RH-1(S) and in those Portions of RH-2 Districts with a Mapped Height Limit of 40 Feet or Less.

The height of buildings in RH-1(D), RH-1 and RH-1(S) districts and in those portions of RH-2 districts with a mapped height limit of 40 feet or less shall be limited as provided in this section.

(1) Height in Feet.

(A) On level or gently sloping lots (lots with a slope of less than 20%), the permitted height shall be 35 feet, measured in the manner provided in Section 453(b)(1).

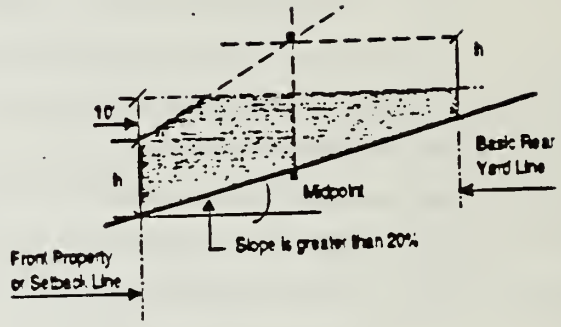
(B) On steep downsloping lots (lots with a downslope of 20% or more), the permitted height in feet shall be 30 feet, measured in the manner provided in Section 453(b)(2).

(C) On steep upsloping lots (lots with a upslope of 20% or more), the permitted height shall be 35 feet, measured in the manner provided in Section 453(b)(3).

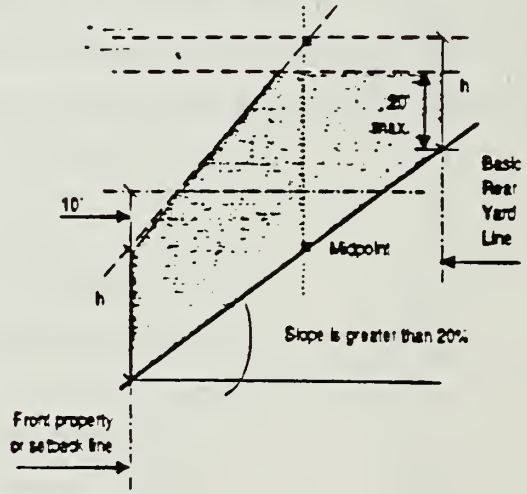
The height permitted by the preceding sentence is subject to several exceptions which are intended, on the one hand, to reduce the overall height and massiveness of a building when viewed from the street and, on the other hand, to allow the rear portion of the building to be of a reasonable size. The exceptions are as follows:

(i) the height at the basic rear yard line shall not exceed a horizontal line drawn from the front property line towards the rear at a height of 10 feet above the permitted height at the front property line, or, if applicable, at the

front setback line.



(ii) if the lot is so steep that the line described in subparagraph (i) above is lower than two stories not to exceed 20 feet, above grade at the basic rear yard line, then the height may be increased to a horizontal line drawn above the center line from a point two stories, not to exceed 20 feet above grade at the line of the basic rear yard to the point where it intercepts the line establishing the height limitations as provided in Section 453(d)(2).



(D) In RH-2 districts, when two directly adjacent buildings exceed the height limit in feet as provided in paragraph (1), the height of the building on the subject lot may be increased to the height in feet the lower of the adjacent buildings but not to exceed the height shown on the Zoning Map for the lot.

(2) Height in Stories.

(A) No portion of the front building wall shall be greater than three stories in height, except as provided in paragraph (B) and (C) below. If the ceiling of a story is not more than 4 feet above grade at the centerline of the front or rear building wall and does not have more than 50% of its perimeter walls above grade, than that story is not considered to be a story for the purposes of this rule.

(B) As an exception to the limitation of the number of stories, an additional story which is fully contained in a pitched roof and which does not exceed the limitation of height in feet contained in paragraph (1) may be allowed if the Zoning Administrator determines that:

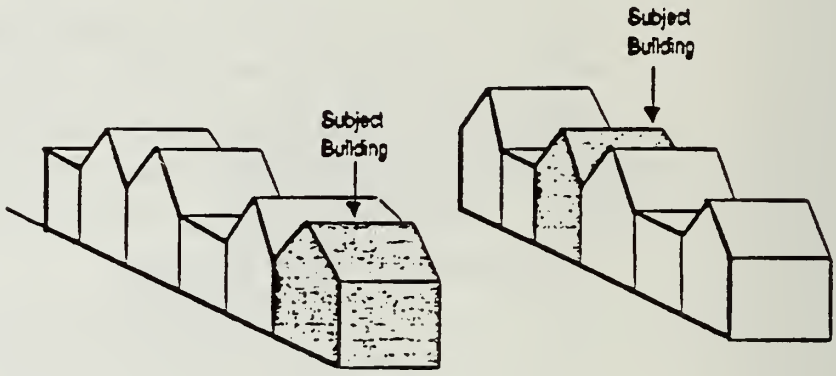
(i) the pitched roof is compatible with the character of the neighborhood because there is a pattern of pitched roofs on the block face;

(ii) the additional story will not be materially injurious or materially detrimental to property or improvements in the vicinity of the subject site, and

(iii) the building is in conformity with the provisions of the Master Plan, the City Planning Code, and the Residential Design Guidelines, and the policies of the Master Plan.

As used in this paragraph, the term "pattern" means that a majority of buildings excluding the subject building, in a cluster of six contiguous buildings, including the subject building, on the same block face have pitched roofs. "Block

face" means the group of front facades of buildings on a block facing the same street.



Majority of buildings in cluster, excluding subject building, have pitched roofs

(C) When height is increased as provided in (1)(D) above, the story limitation shall not apply.

(b) Height Limitations in Portions of RH-2 districts with a Mapped Height Exceeding 40 feet and in RH-3, RM and RE Districts. No part of a building in any portion of an RH-2 district with a mapped height exceeding 40 feet and in any RH-3, RM-1, RM-2, RM-3, RM-4 and RE district shall exceed the height as shown on the relevant Zoning Map for the lot in question and as measured and applied in accordance with the provisions of Section 453 (e) and (f) and Section 454.

(c) Height Limitations of Building Extensions beyond the Basic Rear Yard Line. The height of any portion of a building extending beyond the basic rear yard line is limited as provided in Section 444(a)(2).

(d) Height Limitations of Projections into and Obstructions within the Required Open Areas. The heights of certain projections into and obstructions within required open areas are limited as provided in Section 447.

(e) Height Limitations of Rear Buildings on Through Lots Adjacent to Two Lots Having Rear Buildings. The height of the rear building permitted by Section 444 (c) is limited to the height of the lower of the two adjacent buildings measured in feet at curb level of the street which is closest to the

rear building not to exceed the height permitted in paragraph (a) and (b).

(f) Height Limitations of Signs. The height limits established by or referred to in this Section apply to all signs. The height of signs is also limited by Section 481. The most restrictive of the applicable height limitations shall prevail.

(g) Conditional Use Approval of Buildings Exceeding a Height of 40 feet. (Section 253, minor changes)

(1) Wherever a height limit of more than 40 feet is prescribed for a lot in a Residential Use District by the height district in which the lot is located, any building exceeding 40 feet in height may only be permitted up to the height limit only as a conditional use as provided by Section 303.

(2) In reviewing a conditional use application, the City Planning Commission shall consider the expressed purposes of the Residential Districts, and of the height and bulk districts, set forth in Sections 101, 401 and 451 as well as the criteria stated in Section 303(c) and the objectives, policies and principles of the Master Plan.

(h) Height Limitations of Buildings Shadowing Property under the Jurisdiction of the Park and Recreation Department. The provisions of Section 295 regarding height restrictions on buildings shadowing property under the jurisdiction of the Recreation and Park Commission apply to buildings in Residential Districts.

SEC. 455. EXEMPTIONS FROM HEIGHT LIMITATIONS.

The features listed in this section are exempt from the height limits established by this Article, and shall not be considered in the measurement of building heights, in an amount up to but not exceeding that which is specified measured to the uppermost element of the feature.

(a) Exemptions With an Aggregate Area Limit. Certain features are exempt, provided that the sum of the horizontal areas of all exempted features on a building shall not exceed 20 percent of the horizontal area of the roof

above which they are situated or 30 percent if screened as provided in Section 465 to obscure the exempt features listed and to provide a more balanced and graceful silhouette for the top of the building. The exempt features shall not exceed 20 percent of the horizontal area of the roof within the first ten feet of depth of the building. The features are:

(1) Mechanical equipment and appurtenances necessary to the operation and maintenance of the building itself, including chimneys, ventilators, and plumbing vent stocks, together with visual screening for any such features, limited to the minimum height and size needed to perform the function and in no event to exceed 8 feet on lots in height districts of 65 feet or less and 16 feet on lots in height districts exceeding 65 feet.

(2) Elevator penthouses, limited to a minimum size and height necessary to enclose the elevator, allow maintenance and repair of the elevator, and architecturally embellish the structure and in no event to exceed 8 feet in height on lots in height districts of 65 feet or less and 16 feet in height on lots in height districts exceeding 65 feet.

(3) Visually attractive roof-top forms designed to screen from view the features listed in paragraphs (1) and (2) above on lots in height districts exceeding 65 feet. The roof top form shall not be subject to the percentage average limitations otherwise applicable to this subsection, shall not exceed a height of 20 feet, and shall not exceed a total volume, including the volume of the features being enclosed, equal to 75% of the horizontal area of the roof times 20.

(4) Stair penthouses as defined in Section 497.28 providing access to usable roof areas such as sitting, gardening and recreation areas, not to exceed the height of 8 feet, with its roof parallel to the rise of the stairs, and limited in size to 75 square feet maximum or minimum coverage of the last run of the stairs and a landing which provides access to the roof, whichever is less. Stair penthouses not providing access to usable

roof areas are not exempted if roof access can legally be provided by hatch covers over the roof opening.

(5) Panels or similar devices for the collection of solar energy, not to exceed a height of 7 feet, if their structural support is attractively screened or integrated into the roof design.

(6) Ornamental and symbolic features of public and religious buildings, including towers, spires, cupolas, belfries and domes, where such features are not used for human occupancy.

(7) Parapets, not to exceed a height of 4 feet, and cupolas, domes and other visually interesting roof forms, not to exceed a height of 6 feet, which enhance the visual appearance of the building, are in keeping with the scale and character of the surrounding buildings, and will not significantly block access of light and air to surrounding buildings.

(8) Dormers, the sidewalls of which are set back a minimum of 5 feet from the plane of the exterior wall to which they are parallel.

(b) Other Exemptions. The following features are exempt without regard to their horizontal area:

(1) Railings, not to exceed a height of 42 inches.

(2) Catwalks and fire escapes required by law and located away from facades facing a public right-of-way to the extent feasible.

(3) Skylights not to exceed a height of four feet.

(4) Unroofed recreation facilities with open fencing, including play equipment, tennis and basketball courts at roof level with a maximum height of 10 feet, swimming pools with a maximum height of four feet.

(5) Unenclosed seating areas limited to tables, chairs and benches and sun shades.

(6) Windscreens, not to exceed a height of 7 feet and limited to clear glass or other transparent material with a minimal supporting member having a maximum horizontal cross-section of 14 square inches spaced a minimum of 3 feet on center, and further limited to three sides of the

roof area with no horizontal covering or screening.

(7) Landscaping, not to exceed a height of 4 feet for all features other than plant material.

(8) Antennae, excluding parabolic or dish antennae, for radio and television reception and electronic transmission and relay, where permitted as accessory use, not to exceed a height of 8 feet, and screened in the manner provided by Section 466(b).

(9) Antennae for radio and television reception, and electronic transmission and relay, not to exceed a height of 16 feet, and parabolic or dish antennae, not to exceed a height of 10 feet and a diameter of 3 meters, which are accessory to a hospital or medical center, or other large institutional use permitted in the district and screened in the manner required by Section 466(b).

(10) Flag poles and flags, clothes poles and clotheslines and weather vanes.

(11) In all upper story setbacks provided pursuant to Section 463, exemptions are limited to security grilles necessary to separate abutting upper stories, up to a height of 8 feet, railings, decorative panels, unenclosed seating areas, deck furniture and landscaping, and catwalks and fire escapes required by law to be in the setback area.

SEC. 456. BUILDING BULK LIMITATIONS.

The bulk of a building is determined by the size of the lot, the provisions of this Article regarding required open areas and building form and appearance, and by the application of the Residential Design Guidelines referred to in Section 461. In cases where the lot is located in a height and bulk district containing a letter other than the letter "X" in the district symbol shown on the relevant Sectional Zoning Map, the bulk of a building is also restricted by limitations on the length and diagonal dimension as indicated in Section 270(a), (b) and (c) and subject to special exceptions as provided in Section 271.

PART 7. BUILDING FORM AND APPEARANCE

SEC. 460. PURPOSE OF BUILDING FORM AND APPEARANCE REQUIREMENTS.

The building form and appearance requirements are established to further the implementation of the objectives, principles and policies of the Urban Design and Residence Element, and other elements and components of the Master Plan and of the priority policies stated in Section 101.1 and for the specific purpose of assuring that new buildings and alterations to existing buildings meet minimum standards of neighborhood compatibility and architectural quality.

SEC. 461. REQUIRED CONSISTENCY WITH THE MASTER PLAN AND RESIDENTIAL DESIGN GUIDELINES.

The construction of new residential buildings and alteration of existing residential buildings in Residential Districts shall be consistent with the design policies and guidelines of the Master Plan and with the "Residential Design Guidelines" as adopted and periodically amended by the City Planning Commission. The Department of City Planning may require modifications to the exterior envelope of a proposed new residential building or alteration of an existing residential building in order to bring it into compliance with the "Residential Design Guidelines" and with the Master Plan. These modificiations may include, but are not limited to, changes in height, depth, setbacks, architectural finishes, roofline, surface materials and the size of building elements.

When the unusual characteristics of a lot, the unique scale and character of development in the surrounding area, or other peculiarities of a proposed building or alteration and its setting make the use of the adopted guidelines inappropriate in assessing its neighborhood compatibility and architectural quality, the City Planning Commission may approve alternative design guidelines for a specific lot which more appropriately respond to the lot and its surrounding and which conform to all writing and shall be reviewed and adopted by the City Planning Commission prior to approval of any new building

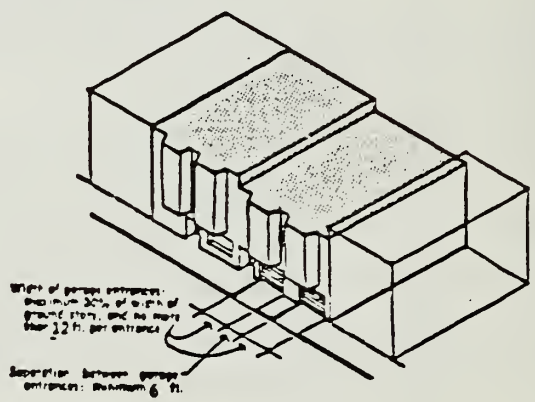
or alteration of an existing building on the lot.

SEC. 462. TREATMENT OF THE GROUND STORY ON STREET FRONTAGES.

(a) Purpose. This section is enacted to assure that the ground story of residential buildings in Residential Districts as viewed from the street is compatible with the scale and character of the existing street frontage, visually interesting and attractive in relation to the pattern of the neighborhood, and so designed that adequate areas are provided for front landscaping, street trees and on-street parking between driveways.

(b) Entrances to Off-Street Parking.

(1) General Dimensions. No more than 30 percent of the width of the ground story of a residential building along the front property line, or along a street side property line, or along a building wall that is set back from any such property line, shall be devoted to entrances to off-street parking, except that in no event shall a lot be limited by this requirement to a single such entrance of less than 12 feet in width. In addition, the width of any curb cut shall not exceed ten feet from the inside of the breaks in the sidewalk curb, and no single garage door or other entrance to off-street parking for a dwelling on any lot shall be wider than 12 feet. Where two or more separate entrances are provided there shall be minimum separation of 1/3 of the width of the lot, but not less than 8 feet, between such entrances.



The width of the garage door and curb cut may be increased to 16 feet, or the minimum separation between two garage doors may be reduced to one foot between two 8-foot garage doors under the following circumstances:

(A) The garage is required to be built in the front of a lot that slopes upward from the front property line to the front setback at a gradient exceeding 50%;

(B) The garage is required to be built in the front of a lot that has an upward or downward slope from the front property line to the forward edge of the required rear yard, along the centerline of the building, of more than 20 percent;

(C) The lot depth is such that the overall depth of a building at the garage level is less than 35 feet in an RH-1(D), RH-1, RH-1(S) and RH-2 District or less than 60 feet in an RH-3, or RM District.

(D) The number of required parking spaces for the building exceeds 50.

(2) Location of Curb Cuts and Garage Door Openings. The location of the curb cuts and garage door openings shall be arranged to minimize the loss of on-street parking and to facilitate the planting of trees and other landscaping on the sidewalk and in the front setback.

(c) Entrances to Dwelling Units. There shall be provided for each building a minimum of one entrance serving a dwelling unit or units devoted exclusively to the pedestrian.

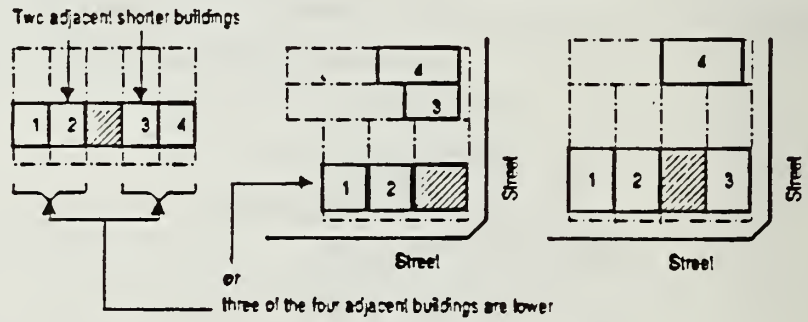
(d) Features To Be Provided at the Ground Story. At the ground story along the front property line, along a street side property line, and along a building wall that is set back from any such property line, facade penetrations, architectural projections and recesses, arches, window and door frames, sills and belt courses, recessed entries and rusticated materials, as well as landscaping shall be employed in conformity with the Residential Design Guidelines to provide additional visual relief and interest along the building wall.

SEC. 463. ARTICULATION OF EXPOSED UPPER STORIES.

(a) Purpose. This section is enacted to preserve neighborhood character by assuring that the upper stories of residential buildings on lots in Residential Districts located in a height district of 50 feet or less, which are higher than those of neighboring buildings are set back and articulated as appropriate to ameliorate their usual impact and enhance their visual appearance.

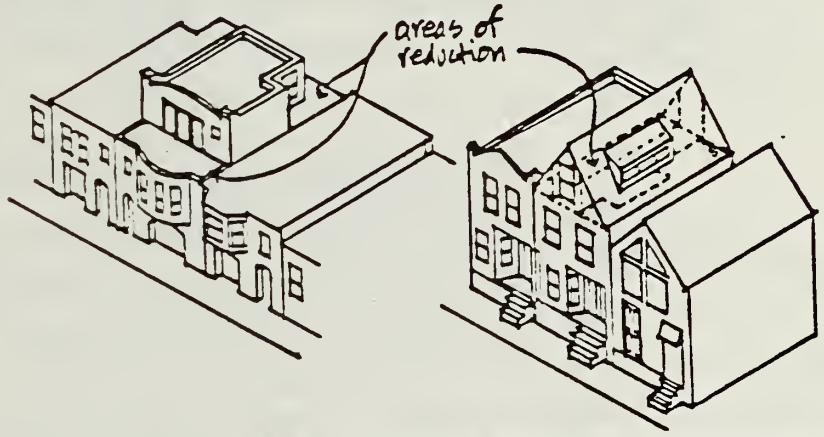
(b) Reduction of the Floor Area of Exposed Upper Stories. The usable floor area of the exposed upper stories of residential buildings on lots in RH and RM-1 districts which are also in height districts of 50 feet or less shall not exceed 75% of the aggregate floor area of the uppermost unexposed story.

An unexposed story means any story which is not an exposed story. An exposed upper story means a third or higher story which exceeds in number the number of stories of both buildings on the two adjacent properties or of three of the four buildings comprised of the two buildings on each side of the subject property. A building story which is not more than 4 feet above grade at the center line of the frontage of the lot measured at curb level and has more than 50% of its perimeter walls below grade is not considered a story for the purposes of this rule.



(c) Distribution of Reduction. The required floor area reduction shall be used to provide front, side, and/or rear upper-story setbacks and recesses and/or visually interesting roof forms (such as a sloping roof with dormers)

at the outer perimeter of the story as appropriate to relate the form of the front facade to that of neighboring buildings, to articulate and embellish exposed sidewalls and to set back portions of the building to enhance the privacy of adjacent buildings and/or reduce the blockage of their light and view. The location of the floor area reduction shall be based on the circumstances of the specific building in question and its relationship to adjacent buildings, and on predominant building patterns existing along the blockface in which the subject building is located.



(d) Exception to the Amount of Reduction Required. An exception to the floor area reduction required in subsection (b) may be granted by the Zoning Administrator to allow an increase in the amount of aggregate floor area to the extent it is determined that the form and appearance of the front facade of the subject building may be made to relate appropriately to the front facades of the neighboring buildings, the exposed side building walls may be appropriately embellished or articulated, and the blockage of light, air and view, or the loss of privacy, if any, may be appropriately mitigated in ways which result in a lesser reduction in floor area.

SEC. 464. TREATMENT OF EXPOSED SIDE WALLS.

(a) Purpose. This section is enacted to ensure that all exposed side walls of residential buildings in all RH, RM and RE districts are visually interesting and attractive and are compatible with the style of the existing

building and the architectural patterns of the surrounding neighborhood.

(b) Required Treatment. The side walls of residential buildings which are not concealed from view by the walls of adjacent buildings shall be finished in an attractive material comparable in finish quality to that of the front facade, and shall be articulated and embellished to enhance their appearance.

SEC. 465. MODULATION OF THE BUILDING WALLS FACING A STREET OR ALLEY.

(a) Purpose. This section is enacted to assure that residential buildings in RH-2, RH-3, RM-1, RM-2 and RE Districts will be compatible with the established mixture of buildings in terms of apparent building width and orientation of dwelling units to the street.

(b) Visual Division. The front of residential buildings in wider lots in RH-2, RH-3, RM-1, RM-2 and RE Districts shall be visually divided into narrower segments, by articulation and variation of the building wall at intervals conforming to the predominant existing scale on the block face, but not more than 35 feet. The desired visual division shall be achieved by combining several of the variety of possible techniques, which include variations of the following building features:

(1) the height of the building, by two feet or more;

(2) roof forms, parapets or cornice treatments;

(3) the depth of the vertical planes of the front building wall by two feet or more;

(4) building recesses or projections;

(5) the location and shape of garages and residential entries;

(6) the form and pattern of windows;

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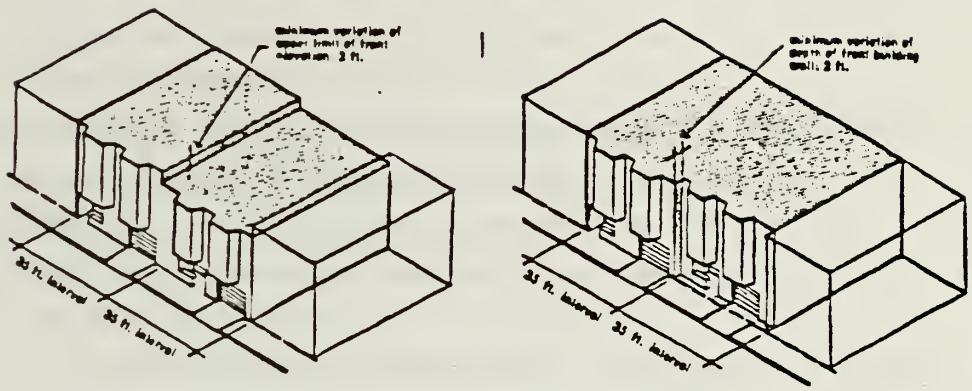
(7) the materials, ornamentation and colors.



SEC. 466. SCREENING OF ROOFTOP FEATURES.

(a) Mechanical Equipment and Appurtenances. Rooftop mechanical equipment and appurtenances to be used in the operation or maintenance of a building shall be arranged so as not to be visible from any point at or below the roof level of the subject building. The features shall cases be either enclosed by outer building walls or parapets, or grouped and screened in a suitable manner, or designed in themselves so that they are balanced and integrated with respect to the design of the building. Minor features not exceeding one foot in height shall be exempted from this regulation.

(b) Dish or Parabolic Antennae. Rooftop dish or parabolic antennae, whatever the height of the building on which they are located, shall be limited to the minimum height and size necessary to perform their function, shall be located in an area of the roof which minimizes their visibility from the public right-of-way and other public view areas, and shall be screened by outer building walls, parapets or various roof forms.

SEC. 467. SCREENING OF OFF-STREET PARKING AREAS.

(a) All offstreet parking spaces, driveways and maneuvering areas within buildings shall be contained within solid walls and doors.

(b) All offstreet parking spaces serving a residential or live/work use and/or located on a lot containing a residential building, which are not

located in the building containing the uses they serve, shall either be located within a garage structure with solid walls and doors or located on the lot in areas other than required open areas and screened from view from all streets and alleys and from side and rear yards of adjacent buildings by solid walls and entry gates at least 6 feet in height.

(c) All off-street parking spaces serving a non-residential use other than live/work, which are not on a lot containing a residential building and not located in the building containing the uses they serve, shall at a minimum, be screened to a height of not less than 4 feet around their perimeter, except at driveways necessary for ingress and egress, by a solid fence or wall or compact evergreen hedge. All artificial lighting used to illuminate the open parking area shall be so arranged that all direct rays fall entirely within the parking area.

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PART 8. LANDSCAPING

SEC. 468. LANDSCAPING.

(a) Street Trees

(1) In Residential Districts, street trees shall be installed by the owner or developer in the case of construction of a new building, relocation of a building, or the greater of the addition of 200 square feet of gross floor area or 20 percent of the gross floor area of the building, whichever is less.

(2) The street trees installed shall be a minimum of one tree of 15 gallon size for each 20 feet of frontage of the property along each street or alley, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. Such trees shall be located either within a setback area on the lot or within the public right-of-way along such lot.

(3) The species of trees selected shall be suitable for the site, and in the case of trees installed in the public right-of-way the species and locations shall be subject to approval by the Department of Public Works. Procedures and other requirements for the installation, maintenance and protection of trees in the public right-of-way shall be as set forth in Article 16 of the Public Works Code.

(4) Newly-installed utility lines and boxes shall be located in the sidewalk in areas which will not interfere with the planting of street trees.

(5) In any case in which the Department of Public Works cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, unavoidable interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot itself is also impractical, the requirements of this section may be modified or waived by the Zoning Administrator to the extent necessary.

(b) Landscaping in Front Setbacks. All front setback areas required by Section 442 shall be appropriately landscaped, and in every case not less than 20 percent of the required setback area shall be unpaved and devoted to plant material.

(c) Timing of Installation. The required street trees and landscaping shall be installed prior to the issuance of the first Certificate of Occupancy as defined in Section 313.1.

PART 9. OFF-STREET PARKING AND LOADING.

SEC. 470. PURPOSE OF OFF-STREET PARKING AND LOADING REQUIREMENTS.

The provisions regarding off-street parking and loading in Residential Districts are intended to assure that off-street parking and loading facilities are provided in amounts and in a manner that will be consistent with the objectives and policies of the San Francisco Master Plan, as part of a balanced transportation system that makes suitable provision for use of both private vehicles and transit. With respect to off-street parking, these provisions are intended to require needed facilities but discourage excessive amounts of parking, to avoid adverse effects upon surrounding areas and uses, and to encourage effective use of public transit as an alternative to travel by private automobile.

SEC. 471. REQUIRED OFF-STREET PARKING AND LOADING SPACES.

(a) Off-street parking and loading spaces, in the amounts specified in Sections 472, 473 and 474 shall be provided for any structure constructed, and any use established, whether public or private, after the original effective date of any such requirement applicable to such structure or use.

(b) For any structure or use lawfully existing on such effective date, off-street parking and loading spaces need be provided only in the case of a major addition to such structure or use, and only in the quantity required for the major addition itself. Any lawful deficiency in off-street parking or loading spaces existing on such effective date may be carried forward for the

structure or use, apart from such major addition.

(c) For these purposes, a "major addition" means any enlargement, alteration, change of occupancy or increase in intensity of use which would increase the number of off-street parking spaces required for dwelling units by one or more spaces; which would increase the number of off-street parking spaces required for uses other than dwelling units by at least 15 percent or by at least five spaces, whichever is greater; or which would increase the requirement for off-street loading spaces by at least 15 percent.

(d) Successive additions made after the effective date of an off-street parking or loading requirement shall be considered cumulative, and at the time such additions become major in their total, off-street parking and loading spaces shall be provided as required for such major addition.

SEC. 472. REQUIRED OFF-STREET PARKING SPACES FOR DWELLINGS.

Off-street parking spaces shall be provided in the minimum quantities as specified below in paragraphs (a) and (b) except that no off-street parking shall be required for a one-family or two-family dwelling where the lot on which such dwelling is located is entirely unaccessible by automobile because of topagraphic conditions. In legalizing dwelling units constructed without proper permits, the Zoning Administrator may waive the parking requirement upon finding that the unit was constructed prior to January 1, 1955.

(a) Dwellings in RH-1(D), RH-1, RH-1(D) and RH-2 Districts.

1. New Structures and Dwelling Units

A. Each dwelling, other than a minor secondary unit in an RH-1(S) district, not exceeding 3000 square feet aggregate square area shall provide one standard sized, independently accessible parking space.

B. Each dwelling unit exceeding 3000 square feet in aggregate floor area shall provide one standard size, independently accessible parking space and one additional parking space which may be a compact-sized, tandem space.

C. Each minor dwelling unit in an RH-1(S) District shall provide one parking space which may be a compact-sized, tandem space.

2. Additions to Existing Structures and Dwelling Units

(A) For additions of 750 square feet or more of aggregate floor area to a dwelling unit which increases the aggregate floor area of the dwelling unit to more than 3000 square feet, there shall provided one additional parking space for each unit so expanded except as provided in paragraph (B) below. If the dwelling unit proposed for expansion already has a standard sized, independently accessible parking space, the additional space may be a compact-sized, tandem space.

(B) The requirement of paragraph (A) shall not apply if:

(i) The addition is to a historic building as defined in Section 497.12, or

(ii) The provision of the required space would necessitate a new curb cut which would reduce on street parking spaces by an amount equal to or greater than the number of required off-street parking spaces.

(b) Dwellings in RH-3, RM and RE Districts.

Each dwelling unit shall provide one standard-sized, independently accessible parking space.

SEC. 473. REQUIRED OFF-STREET PARKING FOR USES OTHER THAN DWELLINGS.

Off-street parking for uses other than dwellings permitted in Residential Districts by Sec. 411 shall be provided in the minimum quantities as follows:

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Use or Activity	Number of Offstreet Parking Spaces Required.
dwelling unit for elderly and disabled	1/5th the number specified for buildings for the district in the unit is located.
group housing	one for each three bedrooms fpr each 6 beds plus one for the manager's dwelling unit, if any. Minimum of two spaces.
hotel	0.8 for each guest bedrooms when the rooms exceeds 5.
hospital or other inpatient medical institutions	one for each 8 beds (excluding bassinets) or for each 2,400 square feet of gross floor area devoted to sleeping rooms, whichever is greater. No requirement if the calculated number is no more than two.
residential care facility	one for each 10 residents, when the number of residents exceeds 9.
child care facilities	one for each 25 children to be accommodated at any one time, where the number exceeds 24.
elementary school	one for each 6 classrooms.
secondary school and post secondary educational institution	one for each 6 classrooms.
church or other religious institution	one for each 20 seats by which the number of seats in the main auditorium exceeds 200.
horticulture facilities	one for each 4,000 square feet of occupied floor area when the occupied floor area exceeds 50,000 square feet.
live/work unit in RH and RM districts	one for each 2,000 square feet of occupied floor area where the occupied floor area exceeds 7,500 square feet
in RE districts	one for each live/work unit.

SEC. 474. REQUIRED OFF-STREET FREIGHT LOADING SPACES.

Off-street freight loading spaces shall be provided for the uses and in the minimum quantities specified in Section 152.

SEC. 475. PERMITTED OFF-STREET PARKING AND LOADING SPACES.

(a) Permitted as an Accessory Use. The number of off-street parking and loading spaces permitted as an accessory use shall be as provided in Section 204.5.

(b) Permitted as a Principal or Conditional Use.

Where off-street parking and loading is provided in quantities which exceed the amount permitted as an accessory use by Sec. 204.5, such parking shall be classified as either a principal or a conditional use, depending upon the use provisions contained in Sec. 411 applicable to the district in which the parking is located and shall be permitted in accordance with the rules governing such uses. In considering an application for a conditional use for any such parking due to the amount being provided, the City Planning Commission shall consider the criteria set forth in Section 157.

SEC. 476. OFF-STREET PARKING AND LOADING SPACES TO BE RETAINED.

Once any off-street parking or loading space has been provided which wholly or partially meets the requirements of this Code, such off-street parking or loading space shall not thereafter be reduced, eliminated or made unusable in any manner.

SEC. 477. OFF-STREET PARKING AND LOADING CALCULATIONS, DIMENSIONS, STANDARDS, AND SCREENING REQUIREMENTS.

(a) The number of required spaces shall be calculated in the manner set forth in Section 153.

(b) The minimum dimensions for required off-street parking and freight loading shall be as provided in Sec. 154.

(c) The location and arrangement of off-street parking and loading spaces shall meet the standards set forth in Sec. 155.

(d) The size and location of garage door openings and curb cuts shall

meet the minimum dimensions and general standards set forth in Sec 461(b).

(e) Off-street parking areas shall be enclosed and screened as provided in Sec. 466.

SEC. 478. LOCATION OFFSITE, COLLECTIVE PROVISION AND JOINT USE OF REQUIRED OFF-STREET PARKING.

(a) Offstreet parking may be located on a lot other than that of the structure or use served as provided in Section 159.

(b) Collective provision and joint use of required off-street parking spaces are permitted as provided in Sec. 160.

PART 10. SIGNS

SEC. 480. PURPOSE OF SIGN REGULATIONS

The purpose of sign regulations in Residential Districts are stated in Sec. 601. Certain terms used in this section are defined in Section 602.1 through 602.23.

SEC. 481. PERMITTED SIGNS IN RESIDENTIAL DISTRICTS (formerly Sec. 606)

Signs in residential districts, other than signs exempted by Sec. 603, shall conform to the following provisions:

(a) Signs for Permitted Uses. The following types of signs, subject to the limitations prescribed for them, shall be the only signs permitted for uses authorized as principal or conditional uses in Residential Districts.

(1) One nonilluminated or indirectly illuminated nameplate for each street frontage of the lot, not exceeding a height of 12 feet, and having an area not exceeding one square foot in RH Districts or two square feet in RM Districts.

(2) One identifying sign for each street frontage of the lot, not exceeding a heights of 12 feet, and meeting the following additional requirements:

(A) In RH Districts: nonilluminated or indirectly illuminated only; maximum area 12 square feet;

(B) In RM-1 Districts: maximum area eight square feet if

directly illuminated, and 20 square feet if nonilluminated or indirectly illuminated.

(3) One temporary nonilluminated or indirectly illuminated sale or lease sign for each street frontage of the total parcel involved, not exceeding a height of 24 feet if freestanding and not above the roofline if attached to a building, and having an area not exceeding six square feet for each lot or for each 3,000 square feet in such total parcel, whichever ratio permits the larger area, provided that no such sign shall exceed 50 square feet in area and any such sign exceeding 18 square feel in area shall be set back at least 25 feet from all street property lines. Any sale or lease sign shall be removed within seven days following removal of the property from the market.

(4) Temporary nonilluminated signs of persons and firms connected with work on buildings under actual construction or alteration, giving their names and information pertinent to the project, not exceeding a height of 12 feet, with the combined area of all such signs not to exceed 10 square feet for each street frontage of the project.

(5) Identification signs for certain hospitals and medical centers as provided in Sec. 608.11.

(b) Signs for Nonconforming Uses. Signs for any use in a Residential District which is nonconforming under the provisions of Section 180 through 187, or which is given conditional use status under those sections, shall be subject to the provisions of this Subsection (b), except that any such use that would first be permitted as either a principal or a conditional use in some other Residential Use District, shall be subject to the provisions of Subsection (a). Any illumination permitted for signs covered by this Subsection (b) shall be extinguished at all times when the nonconforming use is not open for business.

(1) Automobile Service Stations. The following business signs are permitted for an automobile service station. Any such signs may be

nonilluminated or indirectly or directly illuminated.

(A) A maximum of two oil company signs, which shall not extend more than 10 feet above the roofline if attached to a building, or exceed a height of 24 feet if freestanding. The area of any such sign shall not exceed 180 square feet, and along each street frontage all parts of such a sign or signs that are within 10 feet of the street property line shall not exceed 80 square feet in area. The areas of other permanent and temporary signs as covered in Subparagraph (B) below shall not be included in the calculation of the areas specified in this Subparagraph.

(B) Other permanent and temporary signs customarily incidental to the service station business. No such sign shall extend above the roofline if attached to a building, or exceed a height of 12 feet if freestanding. The area of such signs shall not exceed 20 square feet for each such sign or a total of 80 square feet for all such signs on the premises.

(2) Open Land Uses. If there is no building with more than 50 square feet of floor area involved in the use, one business sign is permitted for each street frontage occupied by such use, not exceeding a height of 12 feet and having an area not exceeding one square foot for each foot of such street frontage. The total area of all signs for such a use shall not exceed 50 square feet. Any such sign may be nonilluminated or indirectly illuminated.

(3) Other Uses. For a use not listed in Subparagraph (1) or (2) above, one business sign is permitted for each street frontage occupied by the use, placed flat against the wall that faces such street and not located above the ground floor. Such sign shall not exceed an area of two square feet for each foot of street frontage occupied by the building or part thereof that is devoted to the nonconforming use. The total area of all signs for such a use shall not exceed 100 square feet. Any such sign

may be nonilluminated or indirectly illuminated and, in RM Districts, may be directly illuminated.

(c) General Provisions for All Signs.

(1) No sign shall project beyond a street property line or legislated setback line, or into a required front setback area.

(2) No sign shall have or consist of any moving, rotating or otherwise animated part, or (if permitted to be illuminated) any flashing, blinking, fluctuating or otherwise animated light.

(3) No roof sign, wind sign, or general advertising sign shall be permitted.

(4) No sign shall extend above the roofline of a building to which it is attached, or above a height of 12 feet, whichever is lower.

PART 11. ADMINISTRATIVE AND ZONING PROCEDURES AND REQUIREMENTS

SEC. 488. NOTICE AND BUILDING PERMIT APPLICATION REVIEW PROCEDURES IN RESIDENTIAL DISTRICTS.

(a) Purpose. The purpose of this section is to provide notice of a building permit application to property owners and tenants neighboring the site of the proposed project and interested neighborhood organizations, so that conflicts about the project may be identified and resolved within the planning process.

(b) Applicability. This section applies to building permit applications for new construction and alteration of residential buildings. For the purposes of this section, an alteration refers to any change in use of a residential building or an increase to the exterior dimensions of a residential building, excluding all exemptions and obstructions authorized under Section 444(a)(2) (A) and (B) and Section 446.

(c) Review of Building Permit Application for Compliance. Upon acceptance of an application, the Department shall review the proposed project for compliance with the Planning Code, including the Residential Design

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Guidelines. Applications determined not to be in compliance shall be held either until modifications are made in order to bring the building permit application into compliance, or six months, after which the building permit application shall be disapproved or cancelled and returned to the Bureau of Building Inspection.

(d) Notification and Contents of Written Notice. Upon determination of compliance, the Department shall cause the applicant to prepare a written notice describing the proposed project, as modified to comply with the Planning Code and the Residential Design Guidelines, in addition to any notices required by the Building Code. The notice shall include:

(1) a description of the scope of the proposed project and, if any, the extent of changes to be made to the existing building envelope;

(2) the basic dimensions of any vertical and horizontal expansion of the building relative to the existing building and to existing grade;

(3) a legible photo reduction of drawings (elevations and site plan) showing the nature of the proposed project, including the position of any adjacent buildings, all exterior dimensions and finishes, and a reference scale;

(4) a statement regarding how, when and where the project can be reviewed and discussed with the applicant or designated agent during the review period;

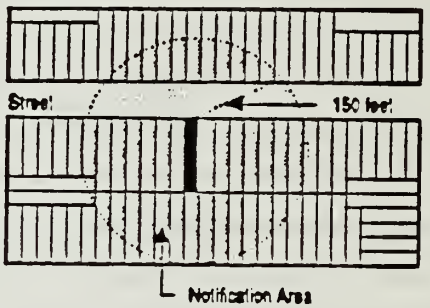
(5) a description of any exceptions that are requested by the applicant;

(6) a description of the procedures for the Department's consideration of objections to the project; and

(7) the date of the mailing of the notice, and the date of the expiration of the 30-day notice period.

(e) Mailed Notification to Property Owners Within 150 Feet. The Department or its designee, including other City agencies or departments, shall mail or cause the applicant to mail this notice to all owners of

properties within 150 feet of the subject property, using the latest city-wide Assessor's roll. The mailing of notices shall occur on the day indicated on the notice. All properties to which notice is required to be mailed are referred to as "the notice area".



(f) Mailed Notification of Neighborhood Organizations. The Department shall maintain a list of neighborhood organizations for different areas of the City which shall be available for public review, and shall cause a copy of the building permit application notice to be mailed to all neighborhood organizations which have indicated an interest in the subject property or the area in which the project is located.

(g) Notification of Other Interested Parties by Posting. The Department shall cause a 30" by 30" poster giving notice of the filing of the building permit application to be posted on the property in accordance with the requirements of Section 306.8(b)(1), (2), and (3). These requirements may be modified upon a determination by the Zoning Administrator that a different location for the sign would provide better notice or that physical conditions make this requirement impossible or impractical, in which case the sign shall be posted as directed by the Zoning Administrator. The notice shall provide general permit application and procedural information in large, visible print, including the permit application number, the nature of the work involved, the date of the expiration of the notice period and a contact phone number for the Department. The notice shall be posted no later than the date of the mailing of the notices and shall remain posted until the expiration date of the 30-day

notice period.

(h) Notice to the Department. When the notice is mailed by the applicant, the applicant shall mail an exact copy of the notice to the Department, and include a list of all persons and neighborhood organizations notified and their addresses, and an affidavit signed by the applicant or the applicant's agent stating that the notification procedure was accurately carried out and the date the notices were mailed.

(i) Elimination of Duplicate Notice. For projects requiring an application for review at a public hearing, such as a conditional use authorization, a coastal zone permit, a planned unit development or a variance in addition to a building permit application subject to the provisions of this Section, and for which a notice of a public hearing is required and has been given according to the provisions of Section 306.3, the mailed notice required in this section shall not apply, provided:

(1) that the work described in the notice previously given includes the nature of work for which the building permit application is required; and

(2) in cases where the hearing had been held prior to the review of the building permit application by the Planning Department, that the work approved in the public hearing is not significantly different from the work described on the building permit application; or

(3) if the hearing had not yet been held by the time that the Planning Department completed the review of the building permit application, that the work for which the building permit application has been filed is included in the review of the project at the public hearing.

(j) Failure to Comply with Mailed Notice and Notice Posting Requirements. If the Zoning Administrator determines that the notification materials are inaccurate and misleading, the Zoning Administrator may require the applicant to repeat the notification process with the corrected materials. Willful failure to comply with any mailed notice or posting requirements is sufficient

cause for suspension of the processing of the building permit application for a period up to six months, denial of the building permit application, or, if the building permit has been issued, for a request by the Zoning Administrator, that the Superintendent of the Bureau of Building Inspection revoke the building permit.

(k) Thirty Day Notification Period. All building permit applications shall be held for a period of 30 days from the date given on the mailed notice, as provided in paragraphs (e), (f), and (g) of this Section, to allow time for review by residents and owners of neighboring buildings and neighborhood groups.

(l) Filing and Review of Written Objections. Within the 30 day notification period, residents and owners of buildings and neighborhood organizations may file written objections to a proposed project in a form established by the Department. If no objection is received within that time period, the Zoning Administrator shall act on the application. If a written objection is received by the Department within that time period, the Zoning Administrator shall, within the limits of staff availability, work with the parties to achieve a project design acceptable to the applicant, the objecting parties or organizations, and the Department. If no agreement is reached among the parties, the Zoning Administrator may, with the consent of the applicant and objector, refer the matter to a panel established for such purposes by the American Institute of Architects or other appropriate organization, the cost of which shall be borne by the objector. If the matter is not satisfactorily resolved in 30 days of the expiration of the notification period (or within 40 days if the review period is extended by the Zoning Administrator), the Zoning Administrator shall determine whether to approve, approve with modifications, or disapprove the project, and shall notify the applicant and objecting parties of the decision.

(m) Filing of a Request for Discretionary Review by the City Planning Commission. The applicant or an objector shall have ten days from the date of

mailing of the Zoning Administrator's determination to request discretionary review of the Zoning Administrator's determination by the City Planning Commission by filing the prescribed form and paying the fee provided in Sec. 363. Only an applicant or an objector following the procedure in subsection (l) may request discretionary review.

(n) Appeals to the Board of Permit Appeals. The determination of the Zoning Administrator or of the City Planning Commission may be appealed to the Board of Permit Appeals, as provided in Section 308.

SECTION 489. OTHER ZONING PROCEDURES AND REQUIREMENTS

The following sections regarding various other zoning procedures and requirements apply to this Article.

Subject	Section Number
General Description of Zoning Procedures	301
Code Amendments	302
Conditional Uses	178, 303,150(e), 316(316.1-316.8)
Planned Unit Developments	304
Institutional Master Plans	304.5
Variances	305
Coastal Zone Permits	330 (330.1-330.16)
Sign Permits	604
Applications and Hearings	306(306.1-306.8)
Appeals	308, 308.1, 308.2
Enforcement	176
Other Powers and Duties of the Zoning Administrator	307
Landmarks and Historic Districts	1001-1015, A-I

SECTION 490. APPLICABILITY OF AND COMPLIANCE WITH PLANNING CODE REQUIREMENTS.

(a) General. The following sections regarding the applicability of and compliance with requirements of the Planning Code and with conditions, stipulations and special restrictions imposed pursuant to the Planning Code apply to this Article.

Subject	Section Number
Applicability of Requirements	170
Required Compliance of Uses	171
Required Compliance of Structures, Open Space and Off-Street Parking and Loading	172
Required Compliance of Lots	173
Required Compliance with Conditions, Stipulations and Special Restrictions	174
Required Compliance of Building Permits, other Permits and Licenses	175
Required Compliance of Signs	604

(b) Transition Rules. Building permit applications or amendments thereto, and conditional use, variance or environmental evaluation applications filed before the effective date of this Ordinance No. _____, except upon written request by the applicant, shall be governed by the ordinances and any Commission adopted policies that are in effect at the time of filing of the application.

SEC. 491. RULES REGARDING NON-CONFORMING USES AND NON-COMPLYING STRUCTURES.

The following sections regarding non-conforming uses and non-complying structures apply to this Article.

Subject	Section Number
Nonconforming Uses, Noncomplying Structures and Substandard Lots of Record: General.	180
Nonconforming Uses: Enlargements, Alterations and Reconstruction	181

Nonconforming Uses: Changes of Use	182
Nonconforming Uses: Discontinuance and Abandonment	183
Short-Term Continuance of certain Nonconforming Uses	184
Continuance of other Nonconforming Uses	185
Exemption of Limited Commercial and Industrial Nonconforming Uses	186
Garment Shops and Garment Factories as Nonconforming Uses	187
Service Stations and Gasoline Stations as Legal Nonconforming Uses	187.1
Noncomplying Structures: Enlargements, Alterations and Reconstruction	188
Substandard Lots of Record: Construction or other Actions	189

FEES

SECTION 492. FEES

The following Sections of Article 3.5A and Article 3.5 regarding fees apply to this Article.

Section Title	Section No in Art.3.5A	Section No in Art.3.5
Fees, General	350	350
Fees for Applications to Establish, Abolish or Modify a Setback Line, to Reclassify Property, Authorize a Conditional Use, consider a Variance, or to review a Coastal Zone Permit	351	351
Fee for Review of Building Permit Application	352	352
Fee for Building Demolition Applications	353	353

Fee for Review of Application for Demolition and Replacement of Affordable Rental Units in RH-3 and RM Districts.	353.1	353.1
Fee for Sign Applications	354	354
Fee for Review of Permit Application Issued by the Fire Department, the Police Department and the Department of Public Health	355	355
Fee for Reviewing Notice of Special Restrictions	357	357
Fee for Reviewing Master Plan Referrals	358	
Filing Fees for Applications Under Article 10	363	362
Fee for Review of Projects Under Discretionary Review	364	363
Fee for letters of Zoning Compliance	365	
Temporary Surcharges on Planning Fees	366	
Fee for Maintaining and Updating Permit Processing Computer	367	
Period Article is Operative	368	
Fee for Review of Applications for Exceptions in Article 4: Sections 444(a)(2)(B), 453(a)(2)(B), and 462(d)	369	365

PART 12. DEFINITIONS

SEC. 497. DEFINITIONS.

Certain words used in this Article are defined in Section 102 (102.1 through 102.28) and Sec. 602.1 through 602.23) which definitions apply to the words wherever used in this Code. The definitions of the words which appear below as Sec. 497.1 through 497.35 apply only to those words as used in this Article 4. In case of conflict between the following definitions and those set forth elsewhere in this Code, the following definitions shall prevail in Residential Districts.

Section 497.1. Aggregate Floor Area. The gross area of all enclosed floors with a vertical clearance of 7'6" or more, including crawl spaces with level floors.

Section 497.2. Block. A parcel of land bounded by streets, alleys or public right-of-ways wider than 20 feet.

Section 497.3. Building. The term "building" includes the term "structure".

Section 497.4. Community Facilities. Community clubhouse, neighborhood center, community cultural center or other community facility not publicly owned but open for public use, in which the chief activity is not carried on as a gainful business and whose chief function is the gathering of persons from the immediate neighborhood in a structure for the purposes of recreation, culture, social interaction or education other than that regulated by Section .

Section 497.5. Community Recycling Collection Center. A use open to the general public which collects, stores or handles recyclable materials, including glass and glass bottles, newspaper, aluminum, paper and paper products, plastic and other materials which may be processed and recovered, if within a completely enclosed container or building, having no openings other than fixed windows or exits required by law, provided that: (a) flammable materials are collected and stored in metal containers and (b) collection hours are limited to 9:00 A.M. to 7:00 P.M. daily. It does not include the storage, exchange, packing, disassembling or handling of junk, waste, used furniture and household equipment, used cars in operable condition, used or salvaged machinery, or salvaged house-wrecking and structural steel materials and equipment.

Section 497.6. Dormer. An enclosed structure penetrating a sloping roof, containing a window or ventilation louver.

Section 497.7. Dwelling Unit.

(a) A room or suite of two or more rooms that is designed for, or is

occupied by, one family doing its own cooking therein and having only one kitchen. It includes a housekeeping room as defined in the Housing Code. It also includes a dwelling unit for elderly and disabled persons as defined in Section 497.9. It does not include a live/work unit, as defined in Section 102.13.

(b) A configuration of rooms and spaces classified as Group R Occupancy by the Building Code, such as habitable rooms, halls, storage areas and bathrooms, that has no interior connection to another dwelling unit, or is separated therefrom by a garage and other spaces in a separate Building Code Occupancy Classification, shall also be considered a dwelling unit if the configuration also includes:

(1) independent egress from the configuration of rooms, either directly to the street or directly to a side passageway to the street; or

(2) a full bathroom, containing a wash basin, a toilet and a shower and/or a bathtub.

Section 497.8. Dwelling Unit for Elderly or Physically Disabled Persons.

A dwelling specifically designed for and occupied by elderly or physically disabled persons and which is limited to such occupancy for the actual lifetime of the building by the requirements of State or Federal programs for housing for elderly or physically disabled persons, or otherwise by design features and by legal arrangements approved as to form by the City Attorney and satisfactory to the Department of City Planning.

Section 497.9. Front Building Wall. The wall of a building that

(a) is closest to the front property line,

(b) extends to grade,

(c) occupies at least 1/2 the width between the side property lines of the lot on which such building is located,

(d) has a height of at least 20 feet above grade or two stories, whichever is less, except in cases where the building does not exceed one story, and

(e) is not a wall that is a obstruction permitted in front setbacks in Section 447.

Section 497.10. Grade. The existing elevation of the surface of the unaltered ground, existing paving or sidewalk at the point of measurement, or the elevation of the surface of the ground resulting from new grading operations encompassing a whole block, as defined in Section 497(c).

Section 497.11. Group Housing

A use housing six or more persons in a space not defined by this Code as a dwelling unit and providing lodging or both meals and lodging, without individual cooking facilities, by prearrangement for a week or more at a time.

(a) Group Housing, Boarding. Group housing excluding group housing for religious orders or for medical and educational institutions, including but not limited to a boarding house, guest house, rooming house, lodging house, residence club, commune, fraternity and sorority house.

(b) Group Housing, Religious Orders. Group housing for members of a religious order calling for collective work or worship and is not defined as, or on the same lot as, a religious institution as defined and regulated by Section 497.16(c). Such housing shall include but not necessarily be limited to a monastery, nunnery, convent and ashram.

(c) Group Housing, Medical and Educational Institutions. Group housing where such facility is affiliated with and operated by a medical or educational institution as defined and regulated by Sections 497.14 and 497.16(b) but not located on the same lot as such institution and not used for inpatient care.

Section 497.12. Historic Building. Any building that is:

(a) designated a landmark pursuant to Article 10,

(b) identified as a contributory (compatible) and contributory altered (potentially compatible) building in an Article 10 designated historic district.

c) listed in the book "Here Today" which was accepted as the

architecturally significant buildings by the Board of Supervisors on May 11, 1970, Resolution No. 268-70,

(d) identified in the Master Plan of the City and County of San Francisco as historic or architecturally significant, or

(e) determined by the City Planning Commission, acting with the advice of the Landmarks Preservation Advisory Board and after a duly noticed hearing, to meet the standards of Article 10 of the Code.

Section 497.13. Horticultural Facilities. Greenhouse, plant nursery, truck garden or other land or structure devoted to cultivation of plants of any kind, either with or without retail or wholesale sales on the premises.

Section 497.14. Hospital or Medical Center. A public or private institutional use which provides medical facilities for inpatient care, medical offices, clinics, and laboratories. It may also include employee or student dormitories adjacent to medical facilities when the dormitories are operated by and affiliated with a medical institution.

Section 497.15. Hotel, Tourist, Small. A use which provides tourist accommodations, including no more than five guest rooms or suites, which are intended or designed to be used, rented, or hired out to guests (transient visitors) intending to occupy the room for less than 32 consecutive days, and which is designed to include all lobbies, offices and internal circulation to guest rooms and suites within and integral to the same enclosed building or buildings as the guest rooms or suites. It includes buildings containing six or more guest rooms designated and certified as tourist units, under Chapter 41 of the San Francisco Administrative Code. It does not include a tourist motel, which contains guest rooms or suites which are independently accessible from the outside, with garage or parking space located on the lot, and designed for, or occupied by, automobile-traveling transient visitors.

Section 497.16. Institutions, Other, Large. A public or private, non-profit or profit-making use which provides services to the community excluding hospitals and medical centers and including but not limited to the following:

(a) Child Care. A use which provides less than 24-hour care for 13 or more children by licensed personnel and which meets the requirements of the State of California and other authorities.

(b) Educational Service. A use certified by the State Educational Agency which provides educational services, such as a school, college or university. It may include, on the same premises, employee or student dormitories and other housing operated by and affiliated with the institution.

(c) Religious Facility. A use which provides religious services to the community, such as a church, temple or synagogue. It may include on the same lot, the housing of persons who engage in supportive activity for the institution.

(d) Residential Care. A medical use which provides lodging, board, and care 24 hours or more to 7 or more persons in need of specialized aid by personnel licensed by the State of California and which provides no outpatient services; including but not limited to, a board and care home, rest home, or home for the treatment of the addictive, contagious, or other diseases or physiological disorders.

Section 497.17. Institutions, Other, Small. A public or private, non-profit or profit-making use which provides services to the community and limited to the following:

(a) Child Care. A use which provides less than 24-hour care for 12 or fewer children by licensed personnel and which meets the requirements of the State of California and other authorities.

(c) Residential Care. A medical use which provides lodging, board, and care 24 hours or more to 6 or fewer persons in need of specialized aid by personnel licensed by the State of California and which provides no outpatient services. It includes but is not limited to, a board and care home, rest home, or home for the treatment of the addictive, contagious, or other diseases or physiological disorders.

Section 497.18. Landmarks, Designated; Non-Residential Uses in. Any

use listed as a principal or conditional use permitted in an NC-1 district, when located in a structure on a landmark site designated pursuant to Article 10.

Section 497.19. Live/Work Unit.

(a) Artist Live/Work Unit. A live/work unit, as defined in Section 102.13 in which one or more of the arts activities, as defined in Section 102.2, are the primary nonresidential use within the unit and other nonresidential activities are limited to those otherwise permitted as a principal use or permitted and specifically approved as a conditional use in the district.

(b) Artist Live/Work Unit in a Non-Conforming Use. A live/work unit, as defined in Sec. 102.3, in which:

(1) one or more arts activities, as defined in Sec. 102.2, are the primary non-residential use within the unit;

(2) the other non-residential activities are limited to uses otherwise permitted as a principal use or permitted and specifically approved as a conditional use in the district;

(3) the unit is within a building envelope of an existing building occupied by a lawful non-conforming residential use and

(4) satisfies other requirements of Sec. 303(c)(6).

Section 497.20. Midblock Open Space. The space located at the interior of a block defined by the rear building walls of the buildings on the block.

(c) Artist Non-Profit Sponsor. A live/work unit in a project meeting the requirements of Section 233.

Section 497.21. Outdoor Recreation Facilities. Open recreation area not publicly owned which is not screened from public view, has no structures other than those necessary and incidental to the open land use, is not operated as a gainful business and is devoted to outdoor recreation such as golf, tennis or riding.

Section 497.22. Parks and Other Passive Recreation Facilities. Open space used for horticultural or passive recreational purposes which is not publicly owned and is not screened from public view, has no structures other than those necessary and incidental to the open land use, is not served by vehicles other than normal maintenance equipment, and has no retail or wholesale sales on the premises. Such open space includes but is not limited to a park, playground, plant nursery, rest area, community garden or neighborhood garden.

Section 497.23. Property Line. The line surrounding and defining a parcel of property.

(a) Front Property Line. The property line that abuts a public right-of-way that is used for principal ingress and egress from the property, or, in cases where lots abut streets or alleys on two or more sides, the abutting line that is most distant from the rear yard defined in Section 497.27.

(b) Rear Property Line. The property line of a parcel that is most distant from the front property line.

(c) Side Property Line. Any property line that is not defined as a front or rear property line.

Section 497.24. Public Facilities. Public structure or use of a nonindustrial character, when in conformity with the Master Plan. Such structure or use shall not include a storage yard, incinerator, machine shop, garage or similar use.

Section 497.25. Rear Building Wall. The wall of a building that is closest to the rear property line, excluding all permitted obstructions listed in Section 447, and which also complies with the following provisions:

(a) the portion of the building that occupies at least 1/2 the width between the side property lines of the lot on which such building is located, and

(b) which has a height of at least 20 feet above grade or two stories,

whichever is less, except in cases where the building does not exceed one story in height at any point on the lot.

Section 497.26. Rear Yard. The open space on a lot closest to the midblock open space defined in Section 497(1) or, in cases of through lots, the open space situated in conformance with the prevalent pattern of development on the block.

Section 497.27. Skylight. An opening in a roof or sloping wall covered with glass or other transparent or translucent glazing materials and designed to admit light.

Section 497.28. Stair Penthouse. An enclosed structure projecting above the roof for the sole purpose of stairways providing access to the roof.

Section 497.29. Story. That portion of a building with at least a 7'-6", but not greater than 15'-0" separation between the upper surface of any floor and the surface of the ceiling above it, except that the topmost story shall be that portion of a building between the upper surface of the topmost floor and the ceiling or roof above.

A single mezzanine, or intermediate level, is not considered a separate story if:

(a) it is an open and integral part of another story;

(b) its floor area does not exceed 1/3 of the floor area of the room or story in which it is located;

(c) a minimum of 50% of its walls facing the room or story in which it is located are maintained as an unglazed opening; and

(d) there is no more than one such mezzanine per story.

Section 497.30. Studio. A dwelling consisting of one habitable room, a bathroom and a kitchen or kitchenette, and not exceeding 500 square feet of floor area, that is designed for or occupied by one or more persons doing their own cooking.

Section 497.31. Tandem Parking. An arrangement of two or more parking spaces such that only one is independently accessible from a street or alley.

Section 497.32. Utility Facilities. Utility installation, including but not necessarily limited to water, gas, electric, transportation or communications utilities, or public service facility, provided that operating requirements necessitate placement at this location.

Section 497.33. Vehicle Storage.

(a) Community garage, confined to the storage of private passenger automobiles of residents of the immediate vicinity, and meeting the requirements of Article 1.5.

(b) Off-street parking facility to serve a use permitted in any R district, when such parking is not classified as accessory parking for such use, under the provisions of Section 204.5, in terms of its location and amount.

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SECTION III. Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by the following revisions and deletions:

SEC. 102. DEFINITIONS.

For the purposes of this Code, certain words and terms used herein are defined as set forth in this and the following sections. Additional definitions applicable only to Article 4, Residential or R Districts (RH, RM and RE districts) are set forth in Section 497. Additional definitions applicable only to Article 7, Neighborhood Commercial Districts and to Article 9, Mission Bay Districts, are set forth in Section 790. Additional definitions applicable only to Article 8, Mixed Use Districts, are set forth in Section 890. Additional definitions applicable only to Article 9, Mission Bay Districts, are set forth in Section 996. All words used in the present tense shall include the future. All words in the plural number shall include the singular number and all words in the singular number shall include the plural number, unless the natural construction of the wording indicates otherwise. The word "shall" is mandatory and not directory. Whenever any of the following terms is used it shall mean the corresponding officer, department, board or commission of the City and County of San Francisco, State of California herein referred to as the City: Assessor, Board of Supervisors, Department of City Planning, Department of Public Works, Director of Planning, City Planning Commission, Zoning Administrator. In each case the term shall be deemed to include an employee of any such officer or department of the City who is lawfully authorized to perform any duty or exercise any power as a representative or agent of that officer or department.

SEC. 102.5. DISTRICT.

A portion of the territory of the city, as shown on the Zoning Map, within which certain regulations and requirements or various combinations thereof apply under the provisions of this Code. The term "district" shall include any use, special use, height and bulk, or special sign district. The term "R

district" shall mean any RH-1(D), RH-1, RH-1(S), RH-2, RH-3, RM-1, RM-2, RM-3, RM-4, or RE district. The term "RC district" shall mean any RC-1, RC-2, RC-3, or RC-4 district. The term "C district" shall mean any C-1, C-2, C-3, or C-M district. The term "M district" shall mean any M-1 or M-2 district. The term "RH district" shall mean any RH-1(D), RH-1, RH-1(S), RH-2, or RH-3 district. The term "RM district" shall mean any RM-1, RM-2, RM-3, or RM-4 district. The term "RC district" shall mean any RC-1, RC-2, RC-3, or RC-4 district. The term "C-3 district" shall mean any C-3-O, C-3-R, C-3-G, or C-3-S district. For the purposes of Section 128 and Article 11 of this Code, the term "C-3 District" shall also include the Extended Preservation District designated on Sectional Map 3SU of the Zoning Map. The term "NC district" shall mean any NC-1, NC-2, NC-3, NC-S, and any neighborhood commercial district identified by street or area name in Section 702.1. The term "Mixed Use District" shall mean any Chinatown CB, Chinatown VR, Chinatown R/NC, or South of Market RSD, SPD, SLR, SLI or SSO District named in Section 802.1. The term "South of Market Districts" shall refer to all ((RED,)) RSD, SPD, SLR, SLI or SSO Districts contained entirely within the area designated as the South of Market Base District shown on Sectional Map 3SU of the Zoning Map.

SEC. 102.7. DWELLING UNIT.

A room or suite of two or more rooms that is designed for, or is occupied by, one family doing its own cooking therein and having only one kitchen. A housekeeping room as defined in the Housing Code shall be a dwelling unit for purposes of this Code. For the purposes of this Code a live/work unit, as defined in Section 102.13 of this Code, shall not be considered a dwelling unit. For R districts, Dwelling Unit is further defined in Section 297.8.

SEC. 102.8. FAMILY.

One or more persons living as a single and separate living unit in a dwelling unit. ((A single and separate living unit, consisting of either:

(a) One person, or two or more persons related by blood, marriage or adoption or by legal guardianship pursuant to court order; plus necessary

domestic servants and not more than three roomers or boarders; or

(b) A group of not more than five persons unrelated by blood, marriage or adoption or such legal guardianship.))

A group occupying group housing, or a hotel, motel or any other building or portion thereof other than a dwelling, shall not be deemed to be a family.

SEC. 102.12. HEIGHT (OF A BUILDING OR STRUCTURE) IN ALL USE DISTRICTS EXCEPT R DISTRICTS.

In all use districts except R districts, t((T))he vertical distance by which a building or structure rises above a certain point of measurement, which point shall be taken as indicated herein. For this purpose, the term "building" shall be deemed to include the term "structure."

(a) In the case of either (b) or (c) below, such point shall be taken at the center line of the building or, where the building steps laterally in relation to a street that is the basis for height measurement, separate points shall be taken at the center line of each building step.

(b) Where the lot is level with or slopes downward from a street at the center line of the building or building step, such point shall be taken at curb level on such a street. This point shall be used for height measurement only for a lot depth not extending beyond a line 100 feet from and parallel to such street, or beyond a line equidistant between such street and the street on the opposite side of the block, whichever depth is greater. Measurement of height for any portion of the lot extending beyond such line shall be considered in relation to the opposite (lower) end of the lot, and that portion shall be considered an upward sloping lot in accordance with Subsection (c) below, whether or not the lot also has frontage on a lower street.

(c) Where the lot slopes upward from a street at the center line of the building or building step, such point shall be taken at curb level for purposes of measuring the height of the closest part of the building within 10 feet of the property line of such street; at every other cross-section of the

building, at right angles to the center line of the building or building step, such point shall be taken as the average of the ground elevations at either side of the building or building step at that cross-section. The ground elevations used shall be either existing elevations or the elevations resulting from new grading operations encompassing an entire block. Elevations beneath the building shall be taken by projecting a straight line between ground elevations at the exterior walls at either side of the entire building in the same plane.

(d) Where the lot has frontage on two or more streets, the owner may choose the street or streets from which the measurement of height is to be taken, within the scope of the rules stated above.

Where the height limits for buildings and structures are established by this Code, the upper points to be taken for measurement of height shall be as prescribed in the provisions relating to such height limits.

SEC. 121. MINIMUM LOT WIDTH AND AREA IN ALL USE DISTRICTS EXCEPT R DISTRICTS.

The following requirements for minimum lot width and area shall apply to all properties in ((the city)) all use districts except R districts, regardless of the use of the property, regardless of the zoning district in which the property is located, and regardless of whether the ownership or use is public or private. The provisions of Article 1.7 of this Code, and especially Sections 173, 180 and 189 thereof, shall also be applicable with respect to lot width and area.

(a) Frontage. Every newly created lot shall have and maintain frontage on a public street or alley as defined by this Code, or on some other permanent right-of-way from which there shall be vehicular access to such lot, and in each case such frontage shall have a minimum width of 16 feet. Where an existing lot of record does not have such frontage, but has other access from a street or alley, such other access shall be maintained for such lot.

(b) Subdivisions and lot splits. Subdivisions and lot splits shall be governed by the Subdivision Code of the City and County of San Francisco and by the Subdivision Map Act of California. In all such cases the procedures and requirements of said Code and said Act shall be followed, including the requirement for consistency with the Master Plan of the City and County of San Francisco. Where the predominant pattern of residential development in the immediate vicinity exceeds the minimum standard for lot width or area, or the minimum standards for both lot width and area, set forth below in this section, any new lot created by a subdivision or lot split under the Subdivision Code shall conform to the greater established standards, provided that in no case shall the required lot width be more than 33 feet or the required lot area be more than 4,000 square feet.

(c) Measurement. The lot width shall be measured as a horizontal distance between the side lot lines. The lot area shall be measured as a horizontal plane enclosed by the lot lines. Where a lot is not in the form of an ordinary rectangle, the specified minimum lot width shall be maintained for a sufficient depth on the lot to enable the minimum lot area requirement to be satisfied within the portion of the lot having such minimum lot width.

(d) Minimum lot width. The minimum lot width shall be as follows:

1. In RH-1(D) districts: 33 feet.

2. In all other zoning use districts: 25 feet.

(e) Minimum lot area. The minimum lot area shall be as follows:

1. In RH-1(D) districts: 4,000 square feet.

2. In all other zoning use districts: 2,500 square feet; except that the minimum lot area for any lot having its street frontage entirely within 125 feet of the intersection of two streets that intersect at an angle of not more than 135 degrees shall be 1,750 square feet.

(f) Conditional uses. Notwithstanding the foregoing requirements of this Section 121 as to lot width, lot area and width of lot frontage, in any zoning use district other than an RH-1(D) district the City Planning Commission may

permit one or more lots of lesser width to be created, with each lot containing only a one-family dwelling and having a lot area of not less than 1,500 square feet, according to the procedures and criteria for conditional use approval in Section 303 of this Code.

SEC. 122. HEIGHT AND BULK LIMITATIONS.

Buildings and structures shall be subject to the height and bulk limits established by Article 4 for R districts and Article 2.5 of this Code for all other use districts and for height and bulk districts .

SEC. 131. LEGISLATED SET-BACK LINES IN ALL USE DISTRICTS EXCEPT R DISTRICTS.

(a) In all use districts except R districts, t((T))he legislated set-back lines along specific street and alley frontages established by ordinance and resolution pursuant to former Article 4 of the City Planning Code and earlier provisions of law are hereby continued in effect as regulations of the City Planning Code, regardless of the regulations for the use districts in which such street and alley frontages are located, and said ordinances and resolutions are expressly incorporated herein by reference as though fully set forth.

(b) The obstructions permitted within such legislated set-back lines shall be as described in Sections 132 and 136 of this Code. No other obstruction shall be constructed, placed or maintained within a legislated set-back line.

(c) The procedures for establishment, abolition or modification of a legislated set-back line shall be as specified in Sections 302 and 306 through 306.5 for amendments to this Code.

(d) In case of any conflict between the requirements of a legislated set-back line and a front set-back area established by Section 132 of this Code, the more restrictive requirements shall prevail.

((SEC. 132. FRONT SET-BACK AREAS, RH and RM DISTRICTS.

The following requirements for minimum front set-back areas shall apply to

every building in all RH and RM districts, in order to relate the set-backs provided to the existing front set-backs of adjacent buildings.

(a) Basic requirement. Where one or both of the buildings adjacent to the subject property have front set-backs along a street or alley, any building or addition constructed, reconstructed or relocated on the subject property shall be set back to the average of the two adjacent front set-backs. If only one of the adjacent buildings has a front set-back, or if there is only one adjacent building, then the required set-back for the subject property shall be equal to one-half the front set-back of such adjacent building. In any case in which the lot constituting the subject property is separated from the lot containing the nearest building by an undeveloped lot or lots for a distance of 50 feet or less parallel to the street or alley, such nearest building shall be deemed to be an "adjacent building," but a building on a lot so separated for a greater distance shall not be deemed to be an "adjacent building."

(b) Alternative Method of Averaging. If, under the rules stated in Subsection (a) above, an averaging is required between two adjacent front set-backs, or between one adjacent set-back and another adjacent building with no set-back, the required set-back on the subject property may alternatively be averaged in an irregular manner within the depth between the set-backs of the two adjacent buildings, provided that the area of the resulting set-back shall be at least equal to the product of the width of the subject property along the street or alley times the set-back depth required by Subsections (a) and (c) of this section; and provided further that all portions of the resulting set-back area on the subject property shall be directly exposed laterally to the set-back area of the adjacent building having the greater set-back. In any case in which this alternative method of averaging has been used for the subject property, the extent of the front set-back on the subject property for purposes of Subsection (c) below relating to subsequent development on an adjacent site shall be considered to be as required by

Subsection (a) above, in the form of a single line parallel to the street or alley.

(c) Method of Measurement. The extent of the front set-back of each adjacent building shall be taken as the horizontal distance from the property line along the street or alley to the building wall closest to such property line, excluding all projections from such wall, all decks and garage structures and extensions, and all other obstructions.

(d) Applicability to special lot situations.

1. Corner Lots and Lots at Alley Intersections. On a corner lot as defined by this Code, or a lot at the intersection of a street and an alley or two alleys, a front set-back area shall be required only along the street or alley elected by the owner as the front of the property. Along such street or alley, the required set-back for the subject lot shall be equal to one-half the front set-back of the adjacent building.

2. Lots Abutting Properties that Front on another Street or Alley. In the case of any lot that abuts along its side lot line upon a lot that fronts on another street or alley, the lot on which it so abuts shall be disregarded, and the required set-back for the subject lot shall be equal to the front set-back of the adjacent building on its opposite side.

3. Lots Abutting RC, C, M and P Districts. In the case of any lot that abuts property in an RC, C, M or P district, any property in such district shall be disregarded, and the required set-back for the subject lot shall be equal to the front set-back of the adjacent building in the RH or RM district.

(e) Maximum Requirements. The maximum required front set-back in any of the cases described in this Section 132 shall be 15 feet from the property line along the street or alley, or 15 percent of the average depth of the lot from such street or alley, whichever results in the lesser requirement.

(f) Permitted Obstructions. Only those obstructions specified in Section 136 of this Code shall be permitted in a required front set-back area, and no

other obstruction shall be constructed, placed or maintained within any such area. No motor vehicle, trailer, boat or other vehicle shall be parked or stored within any such area, except as specified in Section 136.

(g) Landscaping. All front set-back areas required by this Section 132 shall be appropriately landscaped, and in every case not less than 20 percent of the required set-back area shall be unpaved and devoted to plant material.

(h) Relationship to Legislated Set-back Lines. In case of any conflict between the requirements of this Section 132 for front set-back areas and a legislated set-back line as described in Section 131 of this Code, the more restrictive requirements shall prevail.))

((SEC. 133. SIDE YARDS, RH-1(D) DISTRICTS.

The following requirements for side yards shall apply to every building in an RH-1(D) district. Any lot width of less than 33 feet as described herein shall refer only to substandard lots of record as defined in Section 180 of this Code.

(a) Minimum side yards shall be provided as follows:

1. For lots with a width of less than 28 feet: none.

2. For lots with a width of 28 feet or more but less than 31 feet: one side yard equal to the amount by which the lot width exceeds 25 feet, or the same total amount in the form of two side yards, one of which shall be at least three feet.

3. For lots with a width of 31 feet or more but less than 40 feet: two side yards each of three feet.

4. For lots with a width of 40 feet or more but less than 50 feet: two side yards each of four feet.

5. For lots with a width of 50 feet or more: two side yards each of five feet.

((b) Where, however, the building does not exceed 25 feet in height, any side yard required by Subsection (a) to be more than three feet in width may be reduced to three feet if the width of the other side yard is increased by

the same amount as the first one is reduced.

((c) Buildings may be built to the common line of two adjoining lots if a side yard having a width of not less than the combined width of the two side yards required above for each lot is provided on each such lot on the opposite side.

((d) Only those obstructions specified in Section 136 of this Code shall be permitted in a required side yard, and no other obstruction shall be constructed, placed or maintained within any such yard. No motor vehicle, trailer, boat or other vehicle shall be parked or stored within any such yard, except as specified in Section 136.))

SEC. 134. REAR YARDS, RC, NC, C, SPD, M, SPD, RSD, SLR, SLI, AND SSO DISTRICTS.

The following requirements for rear yards shall apply to every building in an RC, NC-1, NC-2, or Individual Neighborhood Commercial District where noted in Subsection (a), except those buildings which contain only live/work units, and to every dwelling in a(n) SPD, RSD, SLR, SLI, SSO, NC-2, NC-3, or Individual Neighborhood Commercial District where noted in Subsection (a), C or M district with the exception that these requirements shall not apply in the Rincon Hill Special Use District. Rear yards shall not be required in NC-S districts. These requirements are intended to assure the protection and continuation of established mid-block, landscaped open spaces, and maintenance of a scale of development appropriate to each district, consistent with the location of adjacent buildings.

(a) Basic requirements. The basic rear yard requirements shall be as follows for the districts indicated.

1. ((RH-1(D), RH-1, RH-1(S), RM-3, RM-4,))RC-1, RC-2, RC-3, RC-4, NC, C, M, ((RED,))SPD, RSD, SLR, SLI and SSO Districts. The minimum rear yard depth shall be equal to 25 percent of the total depth of the lot on which the building is situated, but in no case less than 15 feet.

(A) ((RH-1(D), RH-1, RH-1(S), RM-3, RM-4,))RC-1, NC-1,-Outer

Clement Street, Haight Street, Sacramento-Street, 24th Street-Noe Valley and West Portal Avenue Districts. Rear yards shall be provided at grade level and at each succeeding level or story of the building.

(B) NC-2, Castro Street, Inner Clement Street, Upper Fillmore Street, North Beach, Union Street, Valencia Street, 24th Street-Mission Districts. Rear yards shall be provided at the second story, and at each succeeding story of the building, and at the first story if it contains a dwelling unit.

(C) RC-2, RC-3, RC-4, NC-3, Broadway, Hayes-Gough, Upper Market Street, Polk Street, C, M, ((RED,))SPD, RSD, SLR, SLI and SSO Districts. Rear yards shall be provided at the lowest story containing a dwelling unit, and at each succeeding level or story of the building.

2. ((RH-2, RH-3, RM-1 and RM-2 Districts. The minimum rear yard depth shall be equal to 45 percent of the total depth of the lot on which the building is situated, except to the extent that a reduction in this requirement is permitted by Subsection (c) below. Rear yards shall be provided at grade level and at each succeeding level or story of the building.))

(b) Permitted Obstructions. Only those obstructions specified in Section 136 of this Code shall be permitted in a required rear yard, and no other obstruction shall be constructed, placed or maintained within any such yard. No motor vehicle, trailer, boat or other vehicle shall be parked or stored within any such yard, except as specified in Section 136.

(((c) Reduction of Requirements in RH-2, RH-3, RM-1 and RM-2 Districts. The rear yard requirement in RH-2, RH-3, RM-1 and RM-2 districts, as stated in Paragraph (a)2 above, shall be reduced in specific situations as described in this Subsection (c), based upon conditions on adjacent lots. Under no circumstances, however, shall the minimum rear yard be thus reduced to less

than a depth equal to 25 per cent of the total depth of the lot on which the building is situated, or to less than 15 feet, whichever is greater.

1. General Rule. In such districts, the forward edge of the required rear yard shall be reduced to a line on the subject lot, parallel to the rear lot line of such lot, which is an average between the depths of the rear building walls of the two adjacent buildings. Provided, that in any case in which a rear yard requirement is thus reduced, the last 10 feet of building depth thus permitted on the subject lot shall be limited to a height of 30 feet, measured as prescribed by Section 260 of this Code, or to such lesser height as may be established by Section 261 of this Code.

2. Alternative Method of Averaging. If, under the rule stated in Paragraph (c)(1) above, a reduction in the required rear yard is permitted, the reduction may alternatively be averaged in an irregular manner; provided that the area of the resulting reduction shall be no more than the product of the width of the subject lot along the line established by Paragraph (c)(1) above times the reduction in depth of rear yard permitted by Paragraph (c)(1); and provided further that all portions of the open area on the part of the lot to which the rear yard reduction applies shall be directly exposed laterally to the open area behind the adjacent building having the lesser depth of its rear building wall.

3. Method of Measurement. For purposes of this Subsection (c), an adjacent building shall mean a building on a lot adjoining the subject lot along a side lot line. In all cases the location of the rear building wall of an adjacent building shall be taken as the line of greatest depth of any portion of the adjacent building which occupies at least 1/2 the width between the side lot lines of the lot on which such adjacent building is located, and which has a height of at least 20 feet above grade, or two stories, whichever is less; excluding all permitted obstructions listed for rear yards in Section 136 of this Code. Where a lot adjoining the subject lot is vacant, or contains no dwelling or group

housing structure, or is located in an RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC, ((RED,))SPD, RSD, SLR, SLI, SSO, NC, C, M or P district, such adjoining lot shall, for purposes of the calculations in this Subsection (c), be considered to have an adjacent building upon it whose rear building wall is at a depth equal to 75 percent of the total depth of the subject lot.

4. Applicability to Special Lot Situations. In the following special lot situations, the general rule stated in Paragraph (c)1 above shall be applied as provided in this Paragraph (c)4, and the required rear yard shall be reduced if conditions on the adjacent lot or lots so indicate and if all other requirements of this Section 134 are met.

(A) Corner Lots and Lots at Alley Intersections. On a corner lot as defined by this Code, or a lot at the intersection of a street and an alley or two alleys, the forward edge of the required rear yard shall be reduced to a line on the subject lot which is at the depth of the rear building wall of the one adjacent building.

(B) Lots Abutting Properties with Buildings that Front on Another Street or Alley. In the case of any lot that abuts along one of its side lot lines upon a lot with a building that fronts on another street or alley, the lot on which it so abuts shall be disregarded, and the forward edge of the required rear yard shall be reduced to a line on the subject lot which is at the depth of the rear building wall of the one adjacent building fronting on the same street or alley. In the case of any lot that abuts along both its side lot lines upon lots with buildings that front on another street or alley, both lots on which it so abuts shall be disregarded, and the minimum rear yard depth for the subject lot shall be equal to 25 percent of the total depth of the subject lot, or 15 feet, whichever is greater.

(C) Through Lots Abutting Properties that Contain Two

Buildings. Where a lot is a through lot having both its front and its rear lot line along streets, alleys, or a street and an alley, and both adjoining lots are also through lots, each containing two dwellings or group housing structures that front at opposite ends of the lot, the subject through lot may also have two buildings according to such established pattern, each fronting at one end of the lot, provided all the other requirements of this Code are met. In such cases the rear yard required by this Section 134 for the subject lot shall be located in the central portion of the lot, between the two buildings on such lot, and the depth of the rear wall of each building from the street or alley on which it fronts shall be established by the average of the depths of the rear building walls of the adjacent buildings fronting on that street or alley. In no case, however, shall the total minimum rear yard for the subject lot be thus reduced to less than a depth equal to 25 percent of the total depth of the subject lot, or to less than 15 feet, whichever is greater. Furthermore, in all cases in which this Subparagraph (c)4(C) is applied, the requirements of Section 132 of this Code for front set-back areas shall be applicable along both street or alley frontages of the subject through lot.))

(c) (((d))) Reduction of Requirements in C-3 Districts. In C-3 districts, an exception to the rear yard requirements of this section may be allowed, in accordance with the provisions of Section 309, provided that the building location and configuration assure adequate light and air to windows within the residential units and to the usable open space provided.

(d) (((e))) Modification of Requirements in NC and South of Market Districts. The rear yard requirements in NC and South of Market Districts may be modified or waived in specific situations as described in this Subsection (e).

1. General. The rear yard requirement in NC Districts may be modified or waived by the Zoning Administrator pursuant to the procedures which are applicable to variances, as set forth in Sections 306.1 through

306.5 and 308.2 in the case of NC districts, and in accordance with Section 307(g), in the case of South of Market Districts if all of the following criteria are met for both NC and South of Market Districts:

(A) Residential uses are included in the new or expanding development and a comparable amount of usable open space is provided elsewhere on the lot or within the development where it is more accessible to the residents of the development; and

(B) The proposed new or expanding structure will not significantly impede the access of light and air to and views from adjacent properties; and

(C) The proposed new or expanding structure will not adversely affect the interior block open space formed by the rear yards of adjacent properties.

2. Corner Lots and Lots at Alley Intersections. On a corner lot as defined by this Code, or on a lot at the intersection of a street and an alley of at least 25 feet in width, the required rear yard may be substituted with an open area equal to 25 percent of the lot area which is located at the same levels as the required rear yard in an interior corner of the lot, an open area between two or more buildings on the lot, or an inner court, as defined by this Code, provided that the Zoning Administrator determines that all of the criteria described below in this Paragraph are met.

(A) Each horizontal dimension of the open area shall be a minimum of 15 feet.

(B) The open area shall be wholly or partially contiguous to the existing midblock open space formed by the rear yards of adjacent properties.

(C) The open area will provide for the access to light and air to and views from adjacent properties.

(D) The proposed new or expanding structure will provide for

access to light and air from any existing or new residential uses on the subject property.

The provisions of this Paragraph 2 of Subsection (e) shall not preclude such additional conditions as are deemed necessary by the Zoning Administrator to further the purposes of this Section.

(e) (((f))) **Reduction of Requirements in the North of Market Residential Special Use District.** The rear yard requirement may be substituted with an equivalent amount of open space situated anywhere on the site provided that the Zoning Administrator determines that all of the following criteria are met:

1. The substituted open space in the proposed new or expanding structure will improve the access of light and air to and views from existing abutting properties; and

2. The proposed new or expanding structure will not adversely affect the interior block open space formed by the rear yards of existing abutting properties.

This provision shall be administered pursuant to the notice and hearing procedures which are applicable to variances as set forth in Section 306.1 through 306.5 and 308.2.

SEC. 135. USABLE OPEN SPACE, RC, NC, C, AND M DISTRICTS.

Except as provided in Sections 172 and 188 of this Code, usable open space shall be provided for each dwelling and each group housing structure in RC, NC, C and M districts according to the standards set forth in this Section.

(a) Character of space provided. Usable open space shall be composed of an outdoor area or areas designed for outdoor living, recreation or landscaping, including such areas on the ground and on decks, balconies, porches and roofs, which are safe and suitably surfaced and screened, and which conform to the other requirements of this section. Such area or areas shall be on the same lot as the dwelling units (or bedrooms in group housing) they serve, and shall be designed and oriented in a manner that will make the best practical use of available sun and other climatic advantages. "Private

usable open space" shall mean an area or areas private to and designed for use by only one dwelling unit (or bedroom in group housing). "Common usable open space" shall mean an area or areas designed for use jointly by two or more dwelling units (or bedrooms in group housing). In the Rincon Hill Special Use District, Residential Subdistrict, open space shall be provided as specified in Section 249.1(c)(4).

(b) Access. Usable open space shall be as close as is practical to the dwelling unit (or bedroom in group housing) for which it is required, and shall be accessible from such dwelling unit or bedroom as follows:

1. Private usable open space shall be directly and immediately accessible from such dwelling unit or bedroom; and shall be either on the same floor level as such dwelling unit or bedroom, with no more than one story above or below such floor level with convenient private access.

2. Common usable open space shall be easily and independently accessible from such dwelling unit or bedroom, or from another common area of the building or lot.

(c) Permitted Obstructions. In the calculation of either private or common usable open space, those obstructions listed in Section 136 of this Code for usable open space shall be permitted.

(d) Amount Required. Usable open space shall be provided for each building in the amounts specified herein and in the following table for the district in which the building is located; provided, however, that in the Rincon Hill Special Use District, Residential Subdistrict, open space shall be provided in the amounts specified in Section 249.1(c)(4).

1. For dwellings, except as provided in Paragraph (d)3 below, the minimum amount of usable open space to be provided for use by each dwelling unit shall be as specified in the second column of the table if such usable open space is all private. Where common usable open space is used to satisfy all or part of the requirement for a dwelling unit, such common usable open space shall be provided in an amount equal to 1.33

square feet for each one square foot of private usable open space specified in the second column of the table. In such cases, the balance of the required usable open space may be provided as private usable open space, with full credit for each square foot of private usable open space so provided.

2. For group housing structures, the minimum amount of usable open space provided for use by each bedroom shall be 1/3 the amount required for a dwelling unit as specified in Paragraph (d)1 above. For purposes of these calculations, the number of bedrooms on a lot shall in no case be considered to be less than one bedroom for each two beds. Where the actual number of beds exceeds an average of two beds for each bedroom, each two beds shall be considered equivalent to one bedroom.

3. For dwellings specifically designed for and occupied by senior citizens or physically handicapped persons, as defined and regulated by Section 209.1(m) of this Code, the minimum amount of usable open space to be provided for use by each dwelling unit shall be 1/2 the amount required for each dwelling unit as specified in Paragraph (d)1 above.

(e) Slope. The slope of any area credited as either private or common usable open space shall not exceed five percent.

(f) Private Usable Open Space: Additional Standards.

1. Minimum Dimensions and Minimum Area. Any space credited as private usable open space shall have a minimum horizontal dimension of six feet and a minimum area of 36 square feet if located on a deck, balcony, porch or roof, and shall have a minimum horizontal dimension of 10 feet and a minimum area of 100 square feet if located on open ground, a terrace or the surface of an inner or outer court.

2. Exposure. In order to be credited as private usable open space, an area must be kept open in the following manner:

(A) For decks, balconies, porches and roofs, at least 30 percent of the perimeter must be unobstructed except for necessary

railings.

TABLE 135

MINIMUM USABLE OPEN SPACE

District	Square Feet Of Usable Open Space Required For Each Dwelling Unit If All Private	Ratio of Common Usable Open Space That May Be Substituted for Private
((RH-1(D), RH-1	300	1.33))
((RH-1(S)	300 for first unit; ((100 for minor second unit))	1.33))
((RH-2	125	1.33))
((RH-3	100	1.33))
((RM-1)), RC-1	100	1.33
((RM-2)), RC-2, SPD	80	1.33
((RM-3)), RC-3, RED	60	1.33
((RM-4)), RC-4, RSD	36	1.33
C-3, C-M, SLR, SLI, SSO		
M-1, M-2	36	1.33
C-1, C-2	Same as for the R District establishing the dwelling unit density ratio for the C-1 or C-2 District property	

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NC-1,		
NC-2,		
NC-S,	100	1.33
Sacramento Street,		
West Portal Avenue		
NC-3,		
Castro Street,		
Inner Clement Street,		
Outer Clement Street,		
Upper Fillmore Street,	80	1.33
Haight Street,		
Union Street,		
Valencia Street,		
24th Street-Mission,		
24th Street-Noe Valley		
Broadway,		
Hayes-Gough,		
Upper Market Street,	60	1.33
North Beach,		
Polk Street		
Chinatown		
Community Business,	48	1.00
Residential/Neighbor-		
hood Commercial,		
Visitor Retail		

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(B) In addition, the area credited on a deck, balcony, porch or roof must either face a street, face or be within a rear yard, or face or be within some other space which at the level of the private usable open space meets the minimum dimension and area requirements for common usable open space as specified in Paragraph 135(g)(1) below.

(C) Areas within inner and outer courts, as defined by this Code, must either conform to the standards of Subparagraph (f)2(B) above or be so arranged that the height of the walls and projections above the court on at least three sides (or 75 percent of the perimeter, whichever is greater) is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court, regardless of the permitted obstruction referred to in Subsection 135(c) above.

3. Fire Escapes as Usable Open Space. Normal fire escape grating shall not be considered suitable surfacing for usable open space. The steps of a fire escape stairway or ladder, and any space less than six feet deep between such steps and a wall of the building, shall not be credited as usable open space. But the mere potential use of a balcony area for an emergency fire exit by occupants of other dwelling units (or bedrooms in group housing) shall not prevent it from being credited as usable open space on grounds of lack of privacy or usability.

4. Use of Solariums. In C-3 districts, the area of a totally or partially enclosed solarium shall be credited as private usable open space if (i) such area is open to the outdoors through openings or clear glazing on not less than 50 percent of its perimeter and (ii) not less than 30 percent of its overhead area and 25 percent of its perimeter are open or can be opened to the air.

(g) Common Usable Open Space: Additional Standards.

1. Minimum Dimensions and Minimum Area. Any space credited as common usable open space shall be at least 15 feet in every horizontal dimension and shall have a minimum area of 300 square feet.

2. Use of Inner Courts. The area of an inner court, as defined by this Code, may be credited as common usable open space, if the enclosed space is not less than 20 feet in every horizontal dimension and 400 square feet in area; and if (regardless of the permitted obstructions referred to in Subsection 135(c) above) the height of the walls and projections above the court on at least three sides (or 75 percent of the perimeter, whichever is greater) is such that no point on any such wall or projection is higher than one foot for each foot that such point is horizontally distant from the opposite side of the clear space in the court.

3. Use of Solariums. The area of a totally or partially enclosed solarium may be credited as common usable open space if the space is not less than 15 feet in every horizontal dimension and 300 square feet in area; and if such area is exposed to the sun through openings or clear glazing on not less than 30 percent of its perimeter and 30 percent of its overhead area; provided, however, that the Rincon Hill Special Use District, Residential Subdistrict, open space credit for solariums shall be as provided in Section 249.1(c)(4)(E).

SEC. 136. OBSTRUCTIONS OVER STREETS AND ALLEYS AND IN REQUIRED SET-BACKS, YARDS AND USABLE OPEN SPACE IN USE DISTRICTS EXCEPT R DISTRICTS.

(a) Except in R districts, t((T))he following obstructions shall be permitted, in the manner specified, as indicated by the symbol "X" in the columns at the left, within the required open areas listed herein:

1. Projections from a building or structure extending over a street or alley as defined by this Code. Every portion of such projections over a street or alley shall provide a minimum of 7-1/2 feet of vertical

clearance from the sidewalk or other surface above which it is situated, or such greater vertical clearance as may be required by the San Francisco Building Code, unless the contrary is stated below. The permit under which any such projection over a street or alley is erected over public property shall not be construed to create any perpetual right but is a revocable license.

2. Obstructions within legislated set-back lines and front set-back areas, as required by Sections 131 and 132 of this Code.

3. Obstructions within side yards and rear yards, as required by Sections 133, and 134 of this Code.

4. Obstructions within usable open space, as required by Section 135 of this Code.

(b) No obstruction shall be constructed, placed or maintained in any such required open area except as specified in this section.

(c) The permitted obstructions shall be as follows:

Sts. and Alleys	Set-Bks.	Yds.	Usable Open Sp.	
X	X	X	X	1. Overhead horizontal projections (leaving at least 7-1/2 feet of headroom) of a purely architectural or decorative character such as cornices, eaves, sills and belt courses, with a vertical dimension of no more than two feet six inches, not increasing the floor area or the volume of space enclosed by the building, and not projecting more than:

Sts. and Al-leys	Set-Bks.	Yds.	Usable Open Sp.

Sts. and Alleys	Set-Bks.	Yds.	Usable Open Sp.

specified in Paragraph (c)3 below shall be permitted as an alternative to those specified in this Paragraph (c)2.

(A) The minimum headroom shall be 7-1/2 feet.

(B) Projection into the required open area shall be limited to three feet; provided that projection over streets and alleys shall be further limited to two feet where the sidewalk width is nine feet or less, and the projection shall in no case be closer than eight feet to the center line of any alley.

(C) The glass areas of each bay window, and the open portions of each balcony, shall be not less than 50 per cent of the sum of the areas of the vertical surfaces of such bay window or balcony above the required open area. At least 1/3 of such required glass area of such bay window, and open portions of such balcony, shall be on one or more vertical surfaces situated at an angle of not less than 30 degrees to the line establishing the

Sts. and Alleys	Set-Bks.	Yds.	Usable Open Sp.

line parallel to and at a distance of three feet from the line establishing the required open area.

(F) The minimum horizontal separation between bay windows, between balconies, and between bay windows and balconies (except where a bay window and a balcony are located immediately adjacent to one another, as provided for in Subparagraph (c)2(E) above) shall be two feet at the line establishing the required open area, and shall be increased in proportion to the distance from such line by means of 135 degree angles drawn outward from the ends of such two-foot dimension, reaching a minimum of eight feet along a line parallel to and at a distance of three feet from the line establishing the required open area.

Sts. and Alleys	Set-Bks.	Yds.	Usable Open Sp.
		X	X

/

/

(G) Each bay window or balcony over a street or alley, set-back or rear yard shall also be horizontally separated from interior lot lines (except where the wall of a building on the adjoining lot is flush to the interior lot line immediately adjacent to the projecting portions of such bay window or balcony) by not less than one foot at the line establishing the required open area, with such separation increased in proportion to the distance from such line by means of a 135 degree angle drawn outward from such one-foot dimension, reaching a minimum of four feet along a line parallel to and at a distance of three feet from the line establishing the required open area.

3. Bay (projecting) windows, balconies (other than balconies used for primary access to two or more dwelling units or two or more bedrooms in group housing), and similar features that increase either the floor area of the building or the volume of space enclosed by the building above

Sts. and Alleys	Set-Bks.	Yds.	Usable Open Sp.
		X	X

a distance of three feet from the line establishing the required open area.

(G) Each bay window or balcony over a street or alley, set-back or rear yard shall also be horizontally separated from interior lot lines (except where the wall of a building on the adjoining lot is flush to the interior lot line immediately adjacent to the projecting portions of such bay window or balcony) by not less than one foot at the line establishing the required open area, with such separation increased in proportion to the distance from such line by means of a 135 degree angle drawn outward from such one-foot dimension, reaching a minimum of four feet along a line parallel to and at a distance of three feet from the line establishing the required open area.

3. Bay (projecting) windows, balconies (other than balconies used for primary access to two or more dwelling units or two or more bedrooms in group housing), and similar features that increase either the floor area of the building or the volume of space enclosed by the building above

grade, when limited as specified herein. With respect to obstructions within yards and usable open space, the bay windows and balconies specified in Paragraph (c)2 above shall be permitted as an alternative to those specified in this Paragraph (c)3.

(A) The minimum headroom shall be 7-1/2 feet.

(B) Projection into the required open area shall be limited to three feet, or 1/6 of the required minimum dimension (when specified) of the open area, whichever is less.

(C) In the case of bay windows, the maximum length of each bay window shall be 10 feet, and the minimum horizontal separation between bay windows shall be five feet, above all parts of the required open area.

(D) The aggregate length of all bay windows and balconies projecting into the required open area shall be no more than 2/3 the buildable width of the lot along a rear building wall, 2/3 the buildable length of a street side building wall, or 1/3 the length of all open areas along the buildable length of an interior side lot line; in the case of yards, these limits on aggregate length shall apply to the aggregate of all bay windows, balconies, fire escapes and chimneys.

Sts. and Alleys	Set-Bks.	Yds.	Usable Open Sp.
X	X	X	X
			X

4. Fire escapes, leaving at least 7-1/2 feet of headroom exclusive of drop ladders to grade, and not projecting more than necessary for safety or in any case more than four feet six inches into the required open area. In the case of yards, the aggregate length of all bay windows, balconies, fire escapes and chimneys that extend into the required open area shall be no more than 2/3 the buildable width of the lot along a rear building wall, 2/3 the buildable length of a street side building wall, or 1/3 the buildable length of an interior side lot line;

5. Overhead horizontal projections other than those listed in Paragraphs (c)1, 2, 3 and 4 above, leaving at least 7-1/2 feet of headroom, where the depth of any such projection is no greater than the headroom it leaves, and in no case is greater than 10 feet; and provided that, in the case of common usable open space at ground level, the open space under the projection directly adjoins uncovered usable open space that is at least 10 feet in depth and 15 feet in width;

Sts. and Alleys	Set-Bks.	Yds.	Usable Open Sp.
		X	
X			
X			
X	X		
X	X		
X	X		

6. Chimneys not extending more than three feet into the required open area or 1/6 of the required minimum dimension (when specified) of the open area, whichever is less; provided, that the aggregate length of all bay windows, balconies, fire escapes and chimneys that extend into the required open area is no more than 2/3 the buildable width of the lot along a rear building wall, 2/3 the buildable length of a street side building wall, or 1/3 the buildable length of an interior side lot line;
7. Temporary occupancy of street and alley areas during construction and alteration of buildings and structures, as regulated by the Building Code and other portions of the Municipal Code;
8. Space below grade, as regulated by the Building Code and other portions of the Municipal Code.
9. Building curbs and buffer blocks at ground level, not exceeding a height of nine inches above grade or extending more than nine inches into the required open area.
10. Signs as regulated by Article 6 of this Code, at locations and to the extent permitted therein.
11. Flag poles for projecting flags permitted by

Sts. and Alleys	Setbks.	Yds.	Usable Open Sp.
X	X		
	X	X	X
	X	X	X

Article 6 of this Code.

12. Marquees, awnings and canopies in P, NC, C, M, and RSD, SPD, SLR, SLI and SSO districts, as regulated by the Building Code and as further limited by this Code.

13. Retaining walls that are necessary to maintain approximately the grade existing at the time of construction of a building. Other retaining walls and the grade maintained by them shall be subject to the same regulations as decks (see Paragraphs (c)24 and (c)25 below).

14. Steps of any type not more than three feet above grade; and uncovered stairways and landings not extending higher than the floor level of the adjacent first floor of occupancy above the ground story, and, in the case of yards and usable open space, extending no more than six feet into the required open area for any portion that is more than three feet above grade, provided that all such stairways and landings shall occupy no more than 2/3 the buildable width of the lot along a front or rear building wall, 2/3 the buildable length of a street side building wall, or 1/3 the length of all open areas along the buildable length of an interior

Sts. and Alleys	Set-Bks.	Yds.	Usable Open Sp.	
				side lot line;
X	X	X	X	15. Railings no more than three feet six inches in height above any permitted step, stairway, landing, fire escape, deck, porch or balcony, or above the surface of any other structure permitted in the required open area.
	X	X	X	16. Decorative railings and decorative grille work, other than wire mesh, at least 75 percent open to perpendicular view and no more than six feet in height above grade;
	X	X	X	17. Fences no more than three feet in height above grade;
		X	X	18. Fences and wind screens no more than six feet in height above grade;
		X		19. Fences and wind screens no more than 10 feet in height above grade;
		X	X	20. Normal outdoor recreational and household features such as play equipment and drying lines;
	X	X	X	21. Landscaping and garden furniture;
		X	X	22. Garden structures enclosed by walls on no more than 50 percent of their perimeter, such as gazebos and sunshades, if no more than eight feet in height above grade and covering no more than 60 square feet of land;

Sts. and Alleys	Set-Bks.	Yds.	Usable Open Sp.
		X	
		X	

23. Other structures commonly used in gardening activities, such as greenhouses and sheds for storage of garden tools, if no more than eight feet in height above grade and covering no more than 100 square feet of land;

24. Decks, whether attached to a building or not, at or below the adjacent first floor of occupancy, if developed as usable open space and meeting the following requirements:

(A) Slope of 15 percent or less. The floor of the deck shall not exceed a height of three feet above grade at any point in the required open area, nor shall such floor penetrate a plane made by a vertical angle 45 degrees above horizontal with its vertex three feet above grade at any lot line bordering the required open area,

(B) Slope of more than 15 percent and no more than 70 percent. The floor of the deck shall not exceed a height of three feet above grade at any point along any lot line bordering the required open area, nor shall such floor penetrate a plane made by a vertical angle 45

degrees above horizontal with its vertex three feet above grade at any lot line bordering the required open area, except that when two or more lots are developed with adjacent decks whose floor levels differ by not more than three feet, whether or not the lots will remain in the same ownership, each deck may come all the way to the lot line adjacent to the other deck. In addition, the vertical distance measured up from grade to the floor of the deck shall not exceed seven feet at any point in the required open area,

(C) Slope of more than 70 percent. Because in these cases the normal usability of the required open area is seriously impaired by the slope, a deck covering not more than 1/3 the area of the required open area may be built exceeding the heights specified above, provided that the light, air view and privacy of adjacent lots are not seriously affected. Each such case shall be considered on its individual merits. However, the following points shall be considered guidelines in these cases:

(1) The deck shall be designed to provide the minimum obstruction to light, air, view and privacy.

Sts. and Alleys	Set-Bks.	Yds.	Usable Open Sp.
		X	

(ii) The deck shall be at least two feet inside all side lot lines.

(iii) On downhill slopes, a horizontal angle of 30 degrees drawn inward from each side lot line at each corner of the rear building line shall be maintained clear and the deck shall be kept at least 10 feet inside the rear lot line;

25. Except in required side yards, decks, and enclosed and unenclosed extensions of buildings, when limited as specified herein:

(A) The structure shall extend no more than 12 feet into the required open area; and shall not occupy any space within the rear 25 percent of the total depth of the lot, or within the rear 15 feet of the depth of the lot, whichever is greater,

(B) Within all parts of the required open area, the structure shall be limited in height to either:

(i) 10 feet above grade; or

Sts. and Alleys	Setbks.	Yds.	Usable Open Sp.

Sts. and Alleys	Set-Bks.	Yds.	Usable Open Sp.
	X		
	X		
		X	

27. Garages, where the average slope of the required open area ascends from the street lot line to the line of the set-back and exceeds 50 percent, provided the height of the garage is limited to 10 feet above grade, or the floor level of the adjacent first floor of occupancy on the subject property, whichever height is less;

28. Garages, where both adjoining lots (or the one adjoining lot where the subject property is a corner lot) contain a garage structure within the required set-back line or front set-back area on the same street or alley frontage, provided the garage on the subject property does not exceed the average of the two adjacent garage structures (or the one adjacent garage structure where the subject property is a corner lot) in either height above grade or extension into the required set-back.

29. Garages, where the subject property is a through lot having both its front and its rear lot line along streets, alleys, or a street and an alley, and both adjoining lots (or the one adjoining lot where the subject property is also a corner lot) contain a garage structure adjacent to the

Sts. and Alleys	Setbks.	Yds.	Usable Open Sp.
	X	X	
		X	X

required rear yard on the subject property, provided the garage on the subject property does not exceed the average of the two adjacent garage structures (or the one adjacent garage structure where the subject property is a corner lot) in either height above grade or encroachment upon the required rear yard;

30. Driveways, for use only to provide necessary access to required or permitted parking that is located on the subject property other than in a required open area, and where such driveway has only the minimum width needed for such access.

31. In the Outer Clement Street Neighborhood Commercial district, outdoor activity if used in connection with a commercial use on a contiguous lot and if in use since 1978.

(d) Notwithstanding the limitations of subsection (c) of this section, the following provisions shall apply in C-3 districts.

1. Decorative Architectural Features. Decorative architectural features not increasing the interior floor area or volume of the space enclosed by the building are permitted over streets and alleys and into setbacks within the maximum vertical and horizontal dimensions described

as follows:

(A) At roof level, decorative features such as cornices, eaves, and brackets may project four feet with a maximum vertical dimension no greater than 6 feet.

(B) At all levels above the area of minimum vertical clearance required in subsection (a)1 above, decorative features, such as belt courses, entabulatures, and bosses, may project 2 feet with a maximum vertical dimension of 4 feet.

(C) At all levels above the area of minimum vertical clearance required by subsection (a)1 above, vertical decorative features, such as pilasters, columns, and window frames (including pediment and sills), with a cross sectional area of not more than 3 square feet at midpoint, may project 1 foot horizontally.

2. Bay Windows. Notwithstanding the provisions of subsections (c)2, (D) and (F) of this section, bay windows on nonresidential floors of a structure are permitted only if the width of the bay is at least two times its depth, the total width of all bays on a facade plane does not exceed one-half of the width of the facade plane, and the maximum horizontal (plan) dimensions of the bay fit within the dimensions set forth in the diagram below.

SEC. 140. ALL DWELLING UNITS IN ALL USE DISTRICTS <u>EXCEPT R DISTRICTS</u> TO FACE ON AN OPEN AREA

(a) In each dwelling unit in an RC, NC, C or M district, the required windows (as defined by Section 501.4 of the San Francisco Housing Code) of at least one room that meets the 120-square foot minimum superficial floor area requirement of Section 501.1 of the Housing Code shall face directly on an open area of one of the following types:

1. A public street, public alley at least 25 feet in width, sideyard at least 25 feet in width, or rear yard meeting the requirements of this Code; provided that if such windows are on an outer court whose

width is less than 25 feet the depth of such court shall be no greater than its width; or

2. An open area (whether an inner court or a space between separate buildings on the same lot) which is unobstructed (except for fire escapes not projecting more than necessary for safety and in no case more than 4 feet 6 inches, chimneys, and those obstructions permitted in Sections 136(c)14, 15, 16, 19, 20 and 29 of this Code) and is no less than 25 feet in every horizontal dimension for the floor at which the dwelling unit in question is located and the floor immediately above it, with an increase of five feet in every horizontal dimension at each subsequent floor.

SEC. 141. SCREENING OF ROOFTOP FEATURES RC, NC, C, M , SPD, RSD, SLR, SLI AND SSO DISTRICTS.

(a) In RC, SPD, RSD, NC, C, M, SLR, SLI and SSO Districts, rooftop mechanical equipment and appurtenances to be used in the operation or maintenance of a building shall be arranged so as not to be visible from any point at or below the roof level of the subject building. This requirement shall apply in construction of new buildings, and in any alteration of mechanical systems of existing buildings that results in significant changes in such rooftop equipment and appurtenances. The features so regulated shall in all cases be either enclosed by outer building walls or parapets, or grouped and screened in a suitable manner, or designed in themselves so that they are balanced and integrated with respect to the design of the building. Minor features not exceeding one foot in height shall be exempted from this regulation.

(b) In C-3 districts, whenever the enclosure or screening of the features listed in Section 260(b)(1)A and B, will be visually prominent, modifications may, in accordance with provisions of Section 309, be required in order to insure that: (1) the enclosure or screening is designed as a logical extension of the building form and an integral part of the overall building design; (2) its cladding and detailing is comparable in quality to that of the

rest of the building; (3) if enclosed or screened by additional volume, as authorized by Section 260(b), the rooftop form is appropriate to the nature and proportions of the building, and is designed to obscure the rooftop equipment and appurtenances and to provide a more balanced and graceful silhouette for the top of the building or structure; and (4) the additional building volume is not distributed in a manner which simply extends vertically the walls of the building.

(c) In the Rincon Hill Special Use District and South of Market Base District, mechanical equipment and appurtenances shall be enclosed in such a manner that (1) the enclosure is designed as a logical extension of the building form and an integral part of the overall building design; (2) its cladding and detailing is comparable in quality to that of the rest of the building; (3) if screened by additional volume, as authorized by Section 260(b), the rooftop form is appropriate to the nature and proportions of the building, and is designed to obscure the rooftop equipment and appurtenances and to provide a more balanced and graceful silhouette for the top of the building or structure; and (4) the additional building volume is not distributed in a manner which simply extends vertically the walls of the building.

(d) Off-street parking or freight loading spaces shall only be permitted on unenclosed rooftops when the parking area is screend with fencing, trellises and/or landscaped screening features such that parked vehicles cannot be easily viewed from adjacent buildings, elevated freeways or public vista points.

SEC. 142. SCREENING OF PARKING AREAS, RC DISTRICTS AND NC DISTRICTS.

Off-street parking areas in RC and NC districts, shall be screened as provided in this Section.

(a) Every off-street parking space within a building, where not enclosed by solid building walls, shall be screened from view from all streets and alleys through use of garage doors or by some other means.

(b) Along rear yard areas and other interior open spaces, all off-street parking spaces, driveways and maneuvering areas within buildings shall be screened from view and confined by solid building walls.

(c) Off-street parking spaces in parking lots shall meet the requirements of Section 156 and other applicable provisions of Article 1.5 of this Code. Such parking areas shall be screened from view as provided in Section 156(d) of this Code.

SEC. 143. STREET TREES, RC, SPD, RSD, NC, C-3, SLR, SLI AND SSO DISTRICTS.

(a) In any RC, SPD, RSD, NC, C-3, SLR, SLI, or SSO District, street trees shall be installed by the owner or developer in the case of construction of a new building, relocation of a building, or addition of gross floor area equal to 20 percent or more of the gross floor area of an existing building and, within the ((RED,))SPD, RSD, SLR, SLI and SSO Districts, in the case of change of 20 percent or more of the occupied floor area of an existing building to another use.

(b) The street trees installed shall be a minimum of one tree of 15 gallon size for each 20 feet of frontage of the property along each street or alley, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. Such trees shall be located either within a set-back area on the lot or within the public right-of-way along such lot.

(c) The species of trees selected shall be suitable for the site, and in the case of trees installed in the public right-of-way the species and locations shall be subject to approval by the Department of Public Works. Procedures and other requirements for the installation, maintenance and protection of trees in the public right-of-way shall be as set forth in Article 16 of the Public Works Code.

(d) In any case in which the Department of Public Works cannot grant approval for installation of a tree in the public right-of-way, on the basis of inadequate sidewalk width, interference with utilities or other reasons regarding the public welfare, and where installation of such tree on the lot

itself is also impractical, the requirements of this Section 143 may be modified or waived by the Zoning Administrator to the extent necessary.

(e) In C-3 and South of Market Districts, the Zoning Administrator may allow the installation of planter boxes or tubs or similar landscaping in place of trees when that is determined to be more desirable in order to make the landscaping compatible with the character of the surrounding area, or may waive the requirement in C-3 districts where landscaping is considered to be inappropriate because it conflicts with policies of the Downtown Plan, a component of the Master Plan, such as the policy favoring unobstructed pedestrian passage.

((SEC. 144. TREATMENT OF GROUND STORY ON STREET FRONTAGES, RH-2, RH-3, RM-1 AND RM-2 DISTRICTS.

(a) General. This section is enacted to assure that in RH-2, RH-3, RM-1 and RM-2 Districts the ground story of dwellings as viewed from the street is compatible with the scale and character of the existing street frontage, visually interesting and attractive in relation to the pattern of the neighborhood, and so designed that adequate areas are provided for front landscaping, street trees and on-street parking between driveways.

(b) Entrances to off-street parking. Except as otherwise provided herein, in the case of every dwelling in such districts no more than 30 per cent of the width of the ground story along the front lot line, or along a street side lot line, or along a building wall that is set back from any such lot line, shall be devoted to entrances to off-street parking, except that in no event shall a lot be limited by this requirement to a single such entrance of less than 16 feet in width. In addition, no entrance to off-street parking for a dwelling on any lot shall be wider than 20 feet, and where two or more separate entrances are provided there shall be a minimum separation between such entrances of six feet. The requirements of this Subsection (b) shall not be applicable where the lot has an upward or downward slope from the front lot line to the forward edge of the required rear yard, along the center line of

the building, of more than 20 per cent; or where the lot depth and the requirements of this Code for dimensions, areas and open spaces are such that the permitted building depth is less than 40 feet in an RH-2 District or less than 65 feet in an RH-3, RM-1 or RM-2 District.

(c) Features to be provided. In the case of every dwelling in such districts no less than 30 percent of the width of the ground story along the front lot line, along a street side lot line, and along a building wall that is set back from any such lot line, shall be devoted to windows, entrances for dwelling units, landscaping, and other architectural features that provide visual relief and interest for the street frontage.))

((SEC. 145. MODERATION OF FRONT OF BUILDING, RM-1 AND RM-2 DISTRICTS.

(a) General. This Section is enacted to assure than in RM-1 and RM-2 Districts new dwellings will be compatible with the established mixture of houses and apartment buildings in terms of apparent building width, requiring that on wider lots the front of the building be divided visually into narrower segments, according to the predominant existing scale in such areas.

(b) Stepping of Building Height and Walls. Except as provided in Subsection (c) below, in the case of every dwelling in such districts on a lot with a width of more than 35 feet, there shall be a stepping of the building along the front lot line, or along the front of the building where it is set back from such lot line, by at least one of the following methods:

1. Variation of the upper limit of the front elevation of the building, at intervals of not more than 35 feet, by a minimum of two feet in height. Not less than 30 per cent of the width of such elevation shall be varied in this way from the height of the remainder of such elevation. For purposes of this provision, the term "front elevation" shall mean the front wall and other portions of the building to a significant depth on the lot.

2. Variations of the depth of the front building wall from the front lot line, at intervals of not more than 35 feet, by a minimum of two feet

in depth. Not less than 30 per cent of the width of such front building wall shall be varied in this way from the depth of the remainder of such wall. For purposes of this provision, the term "front building wall" shall mean such wall exclusive of all projections and other obstructions permitted by Section 136 of this Code for required front set-back areas.))

(c) Entrances to Dwelling Units. As an alternative to the requirements of Subsection (b) above, there may be provided for such dwelling a minimum of one pedestrian entrance serving a dwelling unit or units within each portion of the front of the building that has a full width of 25 feet.))

SEC. 150. OFF-STREET PARKING AND LOADING REQUIREMENTS.

(a) General. This Article 1.5 is intended to assure that off-street parking and loading facilities are provided in amounts and in a manner that will be consistent with the objectives and policies of the San Francisco Master Plan, as part of a balanced transportation system that makes suitable provision for use of both private vehicles and transit. With respect to off-street parking, this Article is intended to required needed facilities but discourage excessive amounts of parking, to avoid adverse effects upon surrounding areas and uses, and to encourage effective use of public transit as an alternative to travel by private automobile.

(b) Spaces Required. Off-street parking and loading spaces, according to the requirements stated in this Article 1.5 and in Article 4 for dwelling units in RH-1 and RH-2 districts, shall be provided for any structure constructed, and any use established, whether public or private, after the original effective date of any such requirement applicable to such structure or use.

(c) Additions to Structure or Uses.

1. For any structure or use lawfully existing on such effective date, off-street parking and loading spaces need be provided only in the case of a major addition to such structure or use, and only in the quantity required for the major addition itself. Any lawful deficiency in

off-street parking or loading spaces existing on such effective date may be carried forward for the structure or use, apart from such major addition.

2. For these purposes, a "major addition" is hereby defined as any enlargement, alteration, change of occupancy or increase in intensity of uses which would increase the number of off-street parking spaces required for dwelling units by one or more spaces; which would increase the number of off-street parking spaces required for uses other than dwelling units by at least 15 percent or by at least 5 spaces, whichever is greater; or which would increase the requirement for off-street loading spaces by at least 15 percent.

3. Successive additions made after the effective date of an off-street parking or loading requirement shall be considered cumulative, and at the time such additions become major in their total, off-street parking and loading spaces shall be provided as required for such major addition.

(d) Spaces to be Retained. Once any off-street parking or loading space has been provided which wholly or partially meets the requirements of this Code, such off-street parking or loading space shall not thereafter be reduced, eliminated, or made unusable in any manner.

(e) Conditional Use Cases. When authorizing a conditional use under Section 303 of this Code, the City Planning Commission may require such additional off-street parking and loading spaces, and apply such other standards in addition to those stated in this Article 1.5, as are in its opinion necessary to secure the objectives of this Code.

SEC. 151. SCHEDULE OF REQUIRED OFF-STREET PARKING SPACES.

Except for residential uses in RH-1 and RH-2 districts, o((O))ff-street parking spaces shall be provided in the minimum quantities specified in the following table, except as otherwise provided in Section 161 of this Code. Where the building or lot contains uses in more than one of the categories

listed, parking requirements shall be calculated in the manner provided in Section 153 of this Code. Where off-street parking is provided which exceeds certain amounts in relation to the quantities specified in this table, as set forth in Section 204.5 of this Code, such parking shall be classified not as accessory parking but as either a principal or a conditional use, depending upon the use provisions applicable to the district in which the parking is located. In considering an application for a conditional use for any such parking, due to the amount being provided, the City Planning Commission shall consider the criteria set forth in Section 157 of this Code.

TABLE 151

OFF-STREET PARKING SPACES REQUIRED

Use or Activity	Number of Off-Street Parking Spaces Required
Dwelling, except as specified below, except in RH-1 and RH-2 districts as provided in Sections 470-479, and except in the Bernal Height Special Use District as provided in Section 242	One for each dwelling unit.
Dwelling RC-4 and C-3 districts, except in the Van Ness Special Use District.	One for each four dwelling units.
Dwelling, specifically designed for and	One-fifth the number of spaces specified above for the district in

	occupied by senior citizens or physically handicapped persons, as defined and regulated by Section 209.1(m) of this Code	which the dwelling is located
	Group housing of any kind	One for each 3 bedrooms or for each 6 beds, whichever results in the greater requirement, plus one for the manager's dwelling unit if any, with a minimum of two spaces required.
	Hotel, Inn or hostel in NC districts	0.8 for each guest bedroom where the number of guest rooms exceeds 5.
	Hotel, Inn or hostel in districts other than NC	One of each 16 guest bedrooms where the number of guest bedrooms exceeds 23, plus one for the manager's dwelling unit if any.
	Motel	One for each guest unit, plus one for the manager's dwelling unit if any.
	Mobile home park	One for each vehicle or structure in such park, plus one for the manager's dwelling unit if any.

Hospital or other inpatient medical institution	One for each 8 beds excluding bassinets or for each 2,400 square feet of gross floor area devoted to sleeping rooms, whichever results in the greater requirement, provided that these requirements shall not apply if the calculated number of spaces is no more than two.
Residential care facility	One for each 10 residents, where the number of residents exceeds 9.
Child care facility	One for each 25 children to be accommodated at any one time, where the number of such children exceeds 24.
Elementary school	One for each 6 classrooms.
Secondary school	One for each 2 classrooms.
Post-Secondary educational institution	One for each 2 classrooms.
Church or other religious institution	One for each 20 seats by which the number of seats in the main auditorium exceeds 200.
Theater or auditorium	One for each 8 seats up to 1,000 seats where the number of seats

	exceeds 50 seats, plus one for 10 seats in excess of 1,000.
Stadium or sports arena	One for each 15 seats.
Medical or dental office or outpatient clinic	One for each 300 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Offices or studios of architects, engineers, interior designers and other design professionals and studios of graphic artists.	One for each 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
Other business office	One for each 500 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet, except one for each 750 square feet within the SSO District, where the occupied floor area exceeds 5,000 square feet.
Restaurant, bar, nightclub, pool hall, dance hall, bowling alley or other similar enterprise	One for each 200 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet, except one for each 750 square feet within the SSO

		District, where the occupied floor area exceeds 5,000 square feet.
	Retail space devoted to the handling of bulky merchandise such as motor vehicles, machinery or furniture	One for each 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
	Greenhouse or plant nursery	One for each 4,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
	Other retail space	One for each 500 square feet of occupied floor area up to 20,000 where the occupied floor area exceeds 5,000 square feet, plus one for each 250 square feet of occupied floor area in excess of 20,000.
	Service, repair or wholesale sales space including personal, home or business service space in South of Market districts	One for each 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet.
	Mortuary	Five.

Storage or warehouse space, and space devoted to any use first permitted in an M-2 district	One for each 2,000 square feet of occupied floor area, where the occupied floor area exceeds 10,000 square feet.
Other manufacturing and industrial uses	One for each 1,500 square feet of occupied floor area, where the occupied floor area exceeds 7,500 square feet.
Live/work units	One for each 2,000 square feet of occupied floor area, where the occupied floor area exceeds 7,500 square feet, except in RH or RM Districts, within which the requirement shall be one space for each live/work unit.

SEC. 154. MINIMUM DIMENSIONS FOR REQUIRED OFF-STREET PARKING AND FREIGHT LOADING AND SERVICE VEHICLE SPACES.

(a) Parking Spaces.

1. Every required off-street parking space shall have a minimum area of ((160)) 144 square feet, except as specified in Paragraph (a)(2) below. Every required space shall be of usable shape, with dimensions not less than 18 feet in length and 8 feet in width. The area of any such space shall be exclusive of driveways, aisles and maneuvering areas. The parking space requirements for the Bernal Heights Special Use District are set forth in Section 242.

2. In the case of any structure or use for which four or more off-street parking spaces are required, the fourth such space may be a compact car space, and for each two spaces required in excess of four the second such space may be a compact car space. For this purpose every compact car space shall have a minimum area of 112.5 square feet and shall be specifically marked and identified as a compact car space. Every compact space shall be of usable shape, with dimensions not less than 15 feet in length and 7'-6" feet in width. The area of any such space shall be exclusive of driveways, aisles and maneuvering areas. For dwelling units or group housing within ((RED,))SPD, RSD, SLR, SLI or SSO Districts, 100 percent compact sizes shall be permitted. Special provisions relating to the Bernal Heights Special Use District are set forth in Section 242.

3. Ground floor ingress and egress to any off-street parking spaces provided for a structure or use, and all spaces to be designated as preferential car pool or van pool parking, and their associated driveways, aisles and maneuvering areas, shall maintain a minimum vertical clearance of 7 feet.

(b) Freight Loading and Service Vehicle Spaces. Every required off-street freight loading space shall have a minimum length of 35 feet, a minimum width of 12 feet, and a minimum vertical clearance including entry and exit of 14 feet, except as provided below.

1. Minimum dimensions specified herein shall be exclusive of platform, driveways and maneuvering areas except that minimum vertical clearance must be maintained to accommodate variable truck height due to driveway grade.

2. The first such space required for any structure or use shall have a minimum width of 10 feet, a minimum length of 25 feet, and a minimum vertical clearance, including entry and exit, of 12 feet.

3. Each substituted service vehicle space provided under Section

153(a)6 of this Code shall have a minimum width of 8 feet, a minimum length of ((20)) 18 feet, and a minimum vertical clearance of 7 feet.

SEC. 155. GENERAL STANDARDS AS TO LOCATION AND ARRANGEMENT OF OFF-STREET PARKING, FREIGHT LOADING AND SERVICE VEHICLE FACILITIES.

Required off-street parking and freight loading facilities shall meet the following standards as to location and arrangement. In addition, facilities which are not required but are actually provided shall meet the following standards unless such standards are stated to be applicable solely to required facilities. In application of the standards of this Code for off-street parking and loading, reference may be made to provisions of other portions of the Municipal Code concerning off-street parking and loading facilities, and to standards of the Bureau of Engineering of the Department of Public Works. Final authority for the application of such standards under this Code, and for adoption of regulations and interpretations in furtherance of the stated provisions of this Code shall, however, rest with the Department of City Planning.

(a) Every required off-street parking or loading space shall be located on the same lot as the use served by it, except as provided in Sections 159, 160 and 161 of this Code.

(b) Every required off-street parking or loading space shall be located in its entirety within the lot lines of private property.

(c) Every off-street parking or loading space shall have adequate means of ingress from and egress to a street or alley. Every required off-street parking or loading space shall be independently accessible, with the exception of a parking space for a minor second dwelling unit in an RH-1(S) district. In C-3 districts, if it is found, in accordance with the provisions of Section 309, that independently accessible spaces are infeasible due to site constraints, or in South of Market Districts if it is found, in accordance with the provisions of Section 307(g) of this Code, that independently accessible spaces for non-residential activities are infeasible due to site

constraints or that valet parking would provide a more convenient and efficient means of serving business clients, the substitution of attendant parking spaces for independently accessible spaces may be approved. Access to off-street loading spaces shall be from alleys in preference to streets.

In C-3 districts, where there is a choice, access to off-street parking and loading spaces shall be from streets and alleys which are not part of the pedestrian network and minor streets rather than transit preferential streets or major arterial streets, all as identified in the Downtown Plan, a component of the Master Plan.

Adequate reservoir space shall be provided on private property for entrance of vehicles to off-street parking and loading spaces, except with respect to spaces independently accessible directly from the street.

(d) All off-street freight loading and service vehicle spaces in the C-3-O, C-3-R, C-3-G and South of Market Districts shall be completely enclosed and access from a public street or alley shall be provided by means of a private service driveway, which is totally contained within the structure. Such a private service driveway shall include adequate space to maneuver trucks and service vehicles into and out of all provided spaces, and shall be designed so as to facilitate access to the subject property while minimizing interference with street and sidewalk circulation. Any such private service driveway shall be of adequate width to accommodate drive-in movement from the adjacent curb or inside traffic lane but shall in no case exceed 30 feet. Notwithstanding the foregoing, if an adjacent street or alley is determined to be primarily used for building service pursuant to the provisions from Section 309 in a C-3-O, C-3-R or C-3-G District, or the provisions of Section 307(g) in a South of Market District, up to four spaces may be allowed to be individually accessible directly from such a street or alley.

(e) In a C-3 or South of Market District, where site constraints would make a consolidated freight loading and service vehicle facility impractical, service vehicle spaces required by Sections 153(a)6 and 154(b)3 of this Code

may be located in a parking garage for the structure or other location separate from freight loading spaces.

(f) In a C-3 or South of Market District, whenever off-street freight loading spaces are provided, freight elevators immediately accessible from the loading dock shall be provided to all floors which contain uses that are included in the calculation of required number of freight loading spaces. If freight loading facilities are subterranean, the location and operation of freight elevators shall be designed, where feasible, to discourage use of freight elevators for deliveries from the ground floor. Directories of building tenants shall be provided at all freight elevators. A raised loading dock or receiving area shall be provided with sufficient dimensions to provide for short-term storage of goods. All required freight loading and service vehicle spaces shall be made available only to those vehicles at all times, and provision shall be made to minimize interference between freight loading and service operations, and garbage dumpster operations and storage.

(g) In order to discourage long-term commuter parking, any off-street parking spaces provided for a structure or use other than residential or hotel in a C-3 District, whether classified as an accessory or conditional use, which are otherwise available for use for long-term parking by downtown workers shall maintain a rate or fee structure for their use such that the rate charge for four hours of parking duration is no more than four (4) times the rate charge for the first hour, and the rate charge for eight or more hours of parking duration is no less than 10 times the rate charge for the first hour. Additionally, no discounted parking rate shall be permitted for weekly, monthly or similar time-specific periods.

(h) The internal layout of off-street parking and loading spaces, driveways, aisles and maneuvering areas shall be according to acceptable standards, and all spaces shall be clearly marked.

(i) For each 25 off-street parking spaces provided, one such space shall be designed and designated for handicapped persons.

(j) For each 20 off-street parking spaces provided, one space shall be provided for parking of a bicycle.

(k) Off-Street parking and loading facilities shall be arranged so as to prevent encroachments upon sidewalk areas and adjacent properties, in the maneuvering, standing and storage of vehicles, by means of the layout of facilities and by use of bumper or wheel guards or such other devices as are necessary.

(l) Driveways crossing sidewalks shall be no wider than necessary for ingress and egress, and shall be arranged, to the extent practical, so as to minimize the width and frequency of curb cuts, to maximize the number and size of on-street parking spaces available to the public, and to minimize conflicts with pedestrian and transit movements. In R districts, additional limitations regarding garage door openings and curb cuts are applicable as provided in Section 461(b).

(m) Every off-street parking or loading facility shall be suitably graded, surfaced, drained and maintained.

(n) Off-street parking and loading spaces shall not occupy any required open space, except as specified in Section 136 of this Code.

(o) No area credited as all or part of a required off-street parking space shall also be credited as all or part of a required off-street loading space, or used as all or part of an unrequired off-street loading space. No area credited as all or part of a required off-street loading space shall also be credited as all or part of a required off-street parking space, or used as all or part of an unrequired off-street parking space.

(p) Any off-street freight loading area located within 50 feet of any R district shall be completely enclosed within a building if such freight loading area is used in regular night operation.

(q) Rooftop parking shall be screened as provided in Section 141(d) of this Code.

SEC. 180. NONCONFORMING USES, NONCOMPLYING STRUCTURES AND SUBSTANDARD LOTS OF RECORD: GENERAL.

The following provisions shall apply to nonconforming uses, noncomplying structures and substandard lots of record:

(a) Such uses, structures and lots are hereby defined as follows:

1. A nonconforming use is a use which existed lawfully at the effective date of this Code, or of amendments thereto, or a live/work unit which existed on the effective date of Ordinance No. (effective month date 1988) (other than a live/work unit wholly or partly occupying space whose legal occupancy under the Building Code was then limited to a residential occupancy) and which fails to conform to one or more of the use limitations under Articles 2, 4, 6, 7 and 8 of this Code that then became applicable for the district in which the property is located.

2. A noncomplying structure is a structure which existed lawfully at the effective date of this Code, or of amendments thereto, and which fails to comply with one or more of the regulations for structures, including requirements for off-street parking and loading, under Articles 1.2, 1.5, 2.5, 4, 6, 7 and 8 of this Code, that then became applicable to the property on which the structure is located.

SEC. 181. NONCONFORMING USES: ENLARGEMENTS, ALTERATIONS AND RECONSTRUCTION.

The following provisions shall apply to nonconforming uses with respect to enlargements, alterations and reconstruction:

(a) A nonconforming use, and any structure occupied by such use, shall not be enlarged, intensified, extended, or moved to another location, with the exception of the construction of a mezzanine within a live/work unit, unless the result will be elimination of the nonconforming use, except as provided in Paragraph (b)3 below and Section 186.1 of this Code. A nonconforming use shall not be extended to occupy additional space in a structure, or additional land outside a structure, or space in another structure, or to displace any

other use, except as provided in Sections 182 and 186.1 of this Code.

(b) A structure occupied by a nonconforming use shall not be constructed, reconstructed or altered, unless the result will be elimination of the nonconforming use, except as provided in Section 186.1 of this Code and in Subsections (a) above and (d), (e), (f) and (g) below, and except as follows:

1. Ordinary maintenance and minor repairs shall be permitted where necessary to keep the structure in sound condition, as well as minor alterations, where such work is limited to replacement of existing materials with similar materials placed in a similar manner.

2. Minor alterations shall be permitted where ordered by an appropriate public official to correct immediate hazards to health or safety, or to carry out newly enacted retroactive requirements essential to health or safety.

3. Alterations otherwise allowed by this Code shall be permitted for any portion of the structure that will not thereafter be occupied by the nonconforming use, provided the nonconforming use is not enlarged, intensified, extended, or moved to another location.

4. All other alterations of a structural nature shall be permitted only to the extent that the aggregate total cost of such other structural alterations, as estimated by the Department of Public Works, is less than 1/2 of the assessed valuation of the improvements prior to the first such alteration, except that structural alterations required to reinforce the structure to meet the standards for seismic loads and forces of the Building Code shall be permitted without regard to cost.

(c) A dwelling or other housing structure, ((exceeding the permitted density of dwelling units or other housing units)) as set forth in Section 209.1, ((or Section)) 209.2 or 411 of this Code ((for the district in)) which ((it)) is located on a lot which contains within one or more buildings a quantity of dwelling units exceeding that permitted for the lot in the district in which the lot is located shall be classified as a nonconforming

use under Section 180 of this Code, but only to the extent that ((such dwelling or other housing structure exceeds)) the permitted density on the lot is exceeded. In the case where all structures on such lot taken together exceed the density for that lot but taken individually do not, the owner may choose, subject to approval of the Zoning Administrator, which structure or structures and which dwelling units shall be considered nonconforming. This Section 181 shall apply with respect to enlargements, alterations and reconstruction of the nonconforming portion of such dwelling or other housing structure, consisting of those dwelling units or other housing units which exceed the permitted density. Any dwelling unit or other housing unit not designated nonconforming under this section, ((coming within the density limit)) shall not be affected by this Section 181. Except as provided in Section 182(e), no designated nonconforming dwelling unit can be enlarged and no ((or other housing)) structure containing a ((exceeding the permitted density of)) dwelling unit((s)) or other housing unit((s)) shall be altered to increase the number of dwelling units or other housing units therein, or to increase or create any other nonconformity with respect to the dwelling unit or other housing unit density limitations of Section 209.1, ((or Section)) 209.2 or 411.

(d) Notwithstanding the foregoing provisions of this Section 181, a structure occupied by a nonconforming use that is damaged or destroyed by fire, or other calamity, or by Act of God, or by the public enemy, may be restored to its former condition and use; provided that such restoration is permitted by the Building Code, and is started within one year and diligently prosecuted to completion. The age of such a structure for the purposes of Sections 184 and 185 shall nevertheless be computed from the date of the original construction of the structure. Except as provided in Subsection (e) below, no structure occupied by a nonconforming use that is voluntarily razed or required by law to be razed by the owner thereof may thereafter be restored except in full conformity with the use limitations of this Code.

For purposes of this Subsection, any dwelling unit or other housing unit in a structure that has, in whole or substantial part, been determined by the Director of Public Works to be unsafe to occupy or that will require substantial repair due to damage caused by the earthquake that occurred in San Francisco on October 17, 1989 and its associated aftershocks, may be restored and recorded as a lawfully permitted unit even if its prior lawful existence cannot be established if (1) the permit applicant can demonstrate to the satisfaction of the Zoning Administrator that the unit has been occupied within one year prior to the earthquake and (2) the unit is brought into compliance with the Building Code, Housing Code, Fire Code and any applicable requirements of State and Federal law. Any dwelling unit or other housing unit legalized pursuant to this Subsection shall be offered to the previous tenant, or if that tenant does not desire to re-occupy such unit, to any tenant on reoccupancy at the rent which was charged prior to the earthquake. If the amount of rent cannot be established to the satisfaction of the Zoning Administrator, the Zoning Administrator shall set a rent that is affordable to households making 80% of the median income in San Francisco, according to guidelines established by the Mayor's Office of Housing.

(e) In order that major life safety hazards in residential structures may be eliminated as expeditiously as possible, a structure containing dwelling units or other housing units exceeding the number permitted by Section 209.1 or Section 209.2 of this Code, and constructed of unreinforced masonry that is inconsistent with the requirements of the San Francisco Building Code effective September 11, 1947, may be voluntarily razed and restored or reconstructed with the same number of residential units; provided that there is no increase in any nonconformity, or any new nonconformity, with respect to the use limitations of this Code; provided further that the current requirements of the Building Code, the Housing Code and other applicable portions of the Municipal Code are met; and provided further than such restoration or reconstruction is started within one year after razing or other

demolition work on the structure and diligently prosecuted to completion.

(f) A nighttime entertainment use within the South of Market RSD or SLR Districts may be enlarged, intensified, extended or expanded, including the expansion to an adjacent lot or lots, provided that: (1) the enlargement, intensification, extension or expansion is approved as a conditional use pursuant to Sections 303 and 316 of this Code; (2) the use as a whole meets the parking and signage requirements, floor area ratio limit, height and bulk limit, and all other requirements of this Code which would apply if the use were a permitted one; and (3) the provisions of Section 803.5(h) of this Code are satisfied.

(g) Automotive sales and service signs within the Automotive Special Use District which have all required permits but which do not comply with the controls for new signs established in Section 607.3 of this Code shall be permitted to remain as nonconforming uses and shall be permitted to modify the signage text to describe new automobile ownerships and dealerships that may occur from time to time.

SEC. 188. NONCOMPLYING STRUCTURES: ENLARGEMENTS, ALTERATIONS AND RECONSTRUCTION.

(a) Within the limitations of this Article 1.7, and especially Sections 172 and 180 hereof, a noncomplying structure as defined in Section 180 may be enlarged, altered or relocated, or undergo a change or intensification of use in conformity with the use limitations of this Code, provided that with respect to such structure there is no increase in any discrepancy, or any new discrepancy, at any level of the structure, between existing conditions on the lot and the required standards for new construction set forth in this Code, and provided the remaining requirements of this Code are met.

(b) A noncomplying structure that is damaged or destroyed by fire, or other calamity, or by Act of God, or by the public enemy, may be restored to its former condition; provided that such restoration is permitted by the Building Code, and is started within one year and diligently prosecuted to

completion. Except as provided in Subsection (c) below, no noncomplying structure that is voluntarily razed or required by law to be razed by the owner thereof may thereafter be restored except in full conformity with the requirements of this Code.

(c) In order that major life safety hazards in residential structures may be eliminated as expeditiously as possible, a noncomplying structure containing dwelling units or other housing units, and constructed of unreinforced masonry that is inconsistent with the requirements of the San Francisco Building Code effective September 11, 1947, may be voluntarily razed and restored or reconstructed with the same number of residential units; provided that with respect to such structure there is no increase in any discrepancy, or any new discrepancy, at any level of the structure, between existing conditions on the lot and the required standards for new construction set forth in this Code; provided further that the current requirements of the Building Code, the Housing Code and other applicable portions of the Municipal Code are met; and provided further that such restoration or reconstruction is started within one year after razing or other demolition work on the structure and diligently prosecuted to completion.

(d) A structure in an R District which conformed to the requirements of this Code at the time of its construction, and which, as a result of subsequent amendments to this code with regard to rear yard and other required open area requirements, became a noncomplying structure as defined in Section 180, may be repaired, rehabilitated, altered and enlarged to the extent necessary to meet the minimum standards of the Housing Code, the Building Code and other applicable provisions of the Municipal Code and/or to replace or relocate required second means of egress and may be embellished with architectural and decorative projections authorized by Section 445(d)(1).

SEC. 201. CLASSES OF USE DISTRICTS.

In order to carry out the purposes and provisions of this Code, the city is hereby divided into the following classes of use districts:

P	Public Use Districts

Residential Use Districts (For R Districts also see Article 4)

RH-1(D)	Residential, House Districts, One-Family (Detached Dwellings)
RH-1	Residential, House Districts, One-Family
RH-1(S)	Residential, House Districts, One-Family with Minor Second Unit
RH-2	Residential, House Districts, Two-Family
RH-3	Residential, House Districts, Three-Family
RM-1	Residential, Mixed Districts, Low Density
RM-2	Residential, Mixed Districts, Moderate Density
RM-3	Residential, Mixed Districts, Medium Density
RM-4	Residential, Mixed Districts, High Density
RE	Residential Enclave Districts
RC-1	Residential-Commercial Combined Districts, Low Density
RC-2	Residential-Commercial Combined Districts, Moderate Density
RC-3	Residential-Commercial Combined Districts, Medium Density
RC-4	Residential-Commercial Combined Districts, High Density

NEIGHBORHOOD COMMERCIAL DISTRICTS (Also see Article 7)

General Area Districts

NC-1	Neighborhood Commercial Cluster District
NC-2	Small-Scale Neighborhood Commercial District
NC-3	Moderate-Scale Neighborhood Commercial District
NC-S	Neighborhood Commercial Shopping Center District

Individual Area Districts

Broadway Neighborhood Commercial District

Castro Street Neighborhood Commercial District

Inner Clement Street Neighborhood Commercial District

Outer Clement Street Neighborhood Commercial District

Upper Fillmore Street Neighborhood Commercial District

Haight Street Neighborhood Commercial District

Hayes-Gough Neighborhood Commercial District

Upper Market Street Neighborhood Commercial District

North Beach Neighborhood Commercial District

Polk Street Neighborhood Commercial District

Sacramento Street Neighborhood Commercial District

Union Street Neighborhood Commercial District

Valencia Street Neighborhood Commercial District

24th Street-Mission Neighborhood Commercial District

24th Street-Noe Valley Neighborhood Commercial District

West Portal Avenue Neighborhood Commercial District

Chinatown Mixed Use Districts

CCB	Chinatown Community Business District
CR/NC	Chinatown Residential/Neighborhood Commercial District
CVR	Chinatown Visitor Retail District

C-1	Neighborhood Shopping Districts
C-2	Community Business Districts
C-M	Heavy Commercial Districts
C-3-O	Downtown Office District
C-3-R	Downtown Retail District

C-3-G	Downtown General Commercial District
C-3-S	Downtown Support District
M-1	Light Industrial Districts
M-2	Heavy Industrial Districts

South of Market Use Districts (Also see Article 8)

((RED	Residential Enclave Districts))
SPD	South Park District
RSD	Residential Service District
SLR	Service/Light Industrial/Residential District
SLI	Service/Light Industrial District
SSO	Service/Secondary Office District

Mission Bay Districts (Also see Article 9)

MB-R-1	Mission Bay Lower Density Residential District
MB-R-2	Mission Bay Moderate Density Residential District
MB-R	Mission Bay High Density Residential District
MB-NC-2	Mission Bay Small Scale Neighborhood Commercial District
MB-NC-3	Mission Bay Moderate Scale Neighborhood Commercial District
MB-NC-S	Mission Bay Neighborhood Commercial Shopping Center District
MB-O	Mission Bay Office District
MB-CI	Mission Bay Commercial-Industrial District
MB-H	Mission Bay Hotel District
MB-CF	Mission Bay Community Facilities District
MB-OS	Mission Bay Open Space District

SEC. 202. USES PERMITTED BY THIS CODE.

(a) The use limitations of this Code shall be set forth in Articles 2, 4, 6, 7, 8 and 9 for the use districts of the City, as established by Sections 201, 701, 801 and 902 of this Code and as shown on the Zoning Map referred to in Section 105 of this Code, subject to the provisions of Section 105. The uses permitted under this Code shall consist of the following:

(1) Principal uses, permitted as of right in each established district where listed for that class of districts in Articles 2, 4, 7 and 8, as regulated herein and elsewhere in this Code;

2. Conditional uses, permitted in each established district when authorized by the City Planning Commission under Section 303 of this Code, where listed for that class of districts in Articles 2, 4, 7, 8 and 9 as regulated herein and elsewhere in this Code;

3. Accessory uses for such permitted principal and conditional uses, as defined and regulated in Sections 204 through 204.5, Section 703.2(b)(1)(C), Section 803.3(b)(1)(C), Section 903(a)(3) and Section 986 of this Code. Any use not qualified under such sections as an accessory use shall be classified as a principal or conditional use.

(b) Permitted uses shall include in each established district such uses not specifically listed in Articles 2, 4, 7 or 8 of this Code as are from time to time determined by the Zoning Administrator to be permitted uses in accordance with Section 307(a) of this Code.

(c) No use shall be permitted in any R District, C District or M-1 District which by reason of its nature or manner of operation creates conditions that are hazardous, noxious or offensive through emission of odor, fumes, smoke, cinders, dust, gas, vibration, glare, refuse, water-carried waste, or excessive noise.

(d) Except as specifically provided herein to the contrary, the provisions of Articles 2, 4, 7, 8 and 9 shall apply to all uses, properties and developments, both public and private, including those of the City and

County of San Francisco.

SEC. 204.1. ACCESSORY USES FOR DWELLINGS IN RC OR NC DISTRICTS.

No use shall be permitted as an accessory use to a dwelling unit in any RC or NC district which involves or requires any of the following:

(a) Any construction features or alterations not residential in character;

(b) The use of more than 1/4 of the total floor area of the dwelling unit, except in the case of accessory off-street parking and loading;

(c) The employment of any person not resident in the dwelling unit, other than a domestic servant, gardener, janitor or other person concerned in the operation or maintenance of the dwelling unit;

(d) Residential occupancy by persons other than those specified in the definition of family in this Code;

(((e) In RH-1(D), RH-1 and RH-1(S) districts, the provision of any room for a roomer or boarder with access other than from within the dwelling unit;))

(e) (((f))) Addition of a building manager's unit, unless such unit meets all the normal requirements of this Code for dwelling units;

(f) (((g))) The maintenance of a stock in trade, or the use of show windows or window displays or advertising to attract customers or clients; or

(g) (((h))) The conduct of a business office open to the public.

Provided, however, that Subsection (h) of this section shall not exclude the maintenance within a dwelling unit of the office of a professional person who resides therein, if accessible only from within the dwelling unit; and provided, further, that Subsection (g) shall not exclude the display of signs permitted by Article 6 of this Code.

SEC. 204.2. ACCESSORY USES FOR USES OTHER THAN DWELLINGS IN RC DISTRICTS.

No use shall be permitted as an accessory use to a use other than a dwelling in any RC district which involves or requires any of the following:

(a) The use of more than 1/4 of the total floor area occupied by such use and the principal or conditional use to which it is accessory, except in the case of accessory off-street parking and loading;

(b) The use of show windows or window displays or advertising to attract customers or clients, except for an identifying sign and regulated in Article 6 of this Code; or

(c) The conduct of any activity of a profit-making or commercial nature, except as an integral part of the permitted principal or conditional use where such activity is expressly permitted by Sections 209.1 through 209.9 of this Code.

SEC. 204.4. DWELLING UNITS ACCESSORY TO OTHER USES IN ALL USE DISTRICTS EXCEPT R DISTRICTS.

(a) In any RC, NC or C District, one dwelling unit to serve as the residence of a manager and the manager's family shall be permitted as an accessory use for any permitted hotel, motel or group housing structure, without any such structure being classified as a dwelling for purposes of this Code due to the presence of such dwelling unit.

(b) In any NC, C or M District, dwelling units which are integrated with the working space of artists, artisans and other crafts persons shall be permitted as an accessory use to such working space, when such dwelling units are occupied by a group of persons including no more than four adults, and where the occupancy meets all applicable provisions of the Building Code and the Housing Code.

(c) In any M district, one dwelling unit or other form of habitation to serve as the residence of a caretaker and the caretaker's family shall be permitted as an accessory use for any permitted principal or conditional use in such district, where the operation of such use necessitates location of such residence in such district.

SEC. 205. TEMPORARY USES, GENERAL, IN ALL USE DISTRICTS EXCEPT R DISTRICTS.

(a) The temporary uses listed in Sections 205.1 through 205.3, where not otherwise permitted in the district, may be authorized as provided herein, up to the time limits indicated. Further time for such uses may be authorized

only by action upon a new application, subject to all the requirements for the original application, unless otherwise indicated in Sections 205.1 through 205.3. Temporary uses in R districts are regulated by Section 413 of this Code.

(b) Action upon such uses shall be by the City Planning Commission, subject to all the requirements for conditional uses in Sections 303 and 306 through 306.5 of this Code; except that uses listed in Section 205.1, and uses listed in Section 205.2 if located in a C or M district, and uses listed in Section 205.3 within the South of Market Districts, may be authorized by the Zoning Administrator without a public hearing and without a fee being charged.

(c) Wherever a use exists at the effective date of this Code or of an amendment thereto under which such use is classified as a temporary use, or wherever a use is being conducted under a temporary use authorization given prior to such a date, such use may be continued for the maximum term specified therefor, calculated from said effective date or date of authorization. No such use shall continue thereafter unless a temporary use authorization shall have been sought and obtained under a new application. Continuance of a temporary use beyond the date of expiration of the period authorized therefor, or failure to remove a structure for such temporary use within 10 days thereafter, shall constitute a violation of this Code.

SEC. 205.1. TEMPORARY USES: SIXTY DAY LIMIT. IN ALL USE DISTRICTS EXCEPT R DISTRICTS.

A temporary use may be authorized for a period not to exceed 60 days for any of the following uses in all use districts except R districts:

(a) Neighborhood carnival, exhibition, celebration or festival sponsored by an organized group of residents in the vicinity;

(b) Booth for charitable, patriotic or welfare purposes;

(c) Open air sale of agriculturally produced seasonal decorations, including, but not necessarily limited to, Christmas trees and Halloween pumpkins.

SEC. 205.2. TEMPORARY USES: ONE- OR TWO YEAR LIMIT. IN ALL USE DISTRICTS EXCEPT R DISTRICTS.

A temporary use may be authorized for a period not to exceed two years for any of the following uses in all use districts except R districts:

(a) Temporary structures and uses incidental to the construction of a group of buildings on the same or adjacent premises;

(b) Rental or sales office incidental to a new residential development, not including the conduct of a general real estate business; provided, that it be located within the development, and in a temporary structure of part of a dwelling. A temporary use may be authorized for a period not to exceed one year (including any extensions) for the following year.

(c) In any M-1 or M-2 District, an automobile wrecking operation covered by Section 225(p) of this Code, provided, if the operation would be a conditional use in the district in question, that the Zoning Administrator determines the operation will meet within 90 days of commencing operation all conditions applicable to such use in that district.

SEC. 206. DESCRIPTION AND PURPOSE OF RESIDENTIAL-COMMERCIAL (RC) DISTRICTS.

The following statements of description and purpose outline the main functions of the RC (Residential-Commercial) districts in the zoning plan for San Francisco, supplementing the statements of purpose contained in Section 101 of this Code. These districts are established for purposes of implementing the Residence element and other elements of the Master Plan, according to the objectives, principles and policies stated therein. Among these purposes are the following:

(a) Preservation, improvement and maintenance of the existing housing stock through protection of neighborhood environments and encouragement of sound ownership practices and rehabilitation efforts;

(b) Recognition and protection of the architectural characteristics and densities of existing residential areas;

(c) Maximizing of housing choice by assuring the availability of quality owner and rental housing of various kinds, suitable for a whole range of household types, lifestyles and economic levels;

(d) Encouragement of residential development that will meet outstanding community needs, provide adequate indoor and outdoor spaces for its occupants, and relate well to the character and scale of existing neighborhoods and structures; and

(e) Promotion of balanced and convenient neighborhoods having appropriate public improvements and services, suitable nonresidential activities that are compatible with housing and meet the needs of residents, and other amenities that contribute to the livability of residential areas.

Additional purposes for South of Market R and Mixed Use Districts are listed in Article 8, Sections 813 through 818 of this Code.

((SEC. 206.1. RH (RESIDENTIAL, HOUSE) DISTRICTS.))

These districts are intended to recognize, protect, conserve and enhance areas characterized by dwellings in the form of houses, usually with one, two or three units with separate entrances, and limited scale in terms of building width and height. Such areas tend to have similarity of building styles and predominantly contain large units suitable for family occupancy, considerable open space, and limited nonresidential uses. The RH districts are composed of five separate classes of districts, as follows:

RH-1(D) Districts: One Family (Detached Dwellings). These districts are characterized by lots of greater width and area than in other parts of the city, and by single-family houses with side yards. The structures are relatively large, but rarely exceed 35 feet in height. Ground level open space and landscaping at the front and rear are usually abundant. Much of the development has been in sizable tracts with similarities of building style and narrow streets following the contours of hills. In some cases private covenants have controlled the nature of development and helped to maintain the

street areas.

RH-1 Districts: One-Family. These districts are occupied almost entirely by single-family houses on lots 25 feet in width, without side yards. Floor sizes and building styles vary, but tend to be uniform within tracts developed in distinct time periods. Though built on separate lots, the structures have the appearance of small-scale row housing, rarely exceeding 35 feet in height. Front set-backs are common, and ground level open space is generous. In most cases the single-family character of these districts has been maintained for a considerable time.

RH-1(S) Districts: One-Family with Minor Second Unit. These districts are similar in character to RH-1 districts, except that a small second dwelling unit has been installed in many structures, usually by conversion of a ground-story space formerly part of the main unit or devoted to storage. The second unit remains subordinate to the owner's unit, and may house one or two persons related to the owner or be rented to others. Despite these conversions, the structures retain the appearance of single-family dwellings.

RH-2 Districts: Two-Family. These districts are devoted to one-family and two-family houses, with the latter commonly consisting of two large flats, one occupied by the owner and the other available for rental. Structures are finely scaled and usually do not exceed 25 feet in width or 40 feet in height. Building styles are often more varied than in single-family areas, but certain streets and tracts are quite uniform. Considerable ground level open space is available, and it frequently is private for each unit. The districts may have easy access to shopping facilities and transit lines. In some cases, group housing and institutions are found in these areas, although nonresidential uses tend to be quite limited.

RH-3 Districts: Three-Family. These districts have many similarities to RH-2 districts, but structures with three units are common in addition to one-family and two-family houses. The predominant form is large flats rather than apartments, with lots 25 feet wide, a fine or moderate scale and separate

entrances for each unit. Building styles tend to be varied but complementary to one another. Outdoor space is available at ground level, and also on decks and balconies for individual units. Non-resi- dential uses are more common in these areas than in RH-2 districts.))

((SEC. 206.2. RM (RESIDENTIAL, MIXED) DISTRICTS.

These districts are intended to recognize, protect, conserve and enhance areas characterized by a mixture of houses and apartment buildings, covering a range of densities and building forms according to the individual district designations. Despite the range of densities and building sizes, most structures are of a scale that respects the traditional lot patterns, open spaces and articulation of facades typical of San Francisco neighborhoods. These districts provide unit sizes and types suitable for a variety of households, and contain supporting nonresidential uses. The RM districts are composed of four separate classes of districts, as follows:

RM-1 Districts: Low Density. These districts contain a mixture of the dwelling types found in RH districts, but in addition have a significant number of apartment buildings that broaden the range of unit sizes and the variety of structures. A pattern of 25-foot to 35-foot building widths is retained, however, and structures rarely exceed 40 feet in height. The over-all density of units remains low, buildings are moderately scaled and segmented, and units or groups of units have separate entrances. Outdoor space tends to be available at ground and upper levels regardless of the age and form of structures. Shopping facilities and transit lines may be found within a short distance of these districts. Nonresidential uses are often present to provide for the needs of residents.

RM-2 Districts: Moderate Density. These districts are generally similar to RM-1 districts, but the over-all density of units is greater and the mixture of building types and unit sizes is more pronounced. Building widths and scales remain moderate, and considerable outdoor space is still available. The unit density permitted requires careful design of new

structures in order to provide adequate amenities for the residents. Where nonresidential uses are present, they tend to offer services for wider areas than in RM-1 Districts.

RM-3 Districts: Medium Density. These districts have some smaller structures, but are predominantly devoted to apartment buildings of six, eight, ten or more units. Most of these districts are close to downtown and have been developed in this manner for some time. The units vary in size, but tend to be smaller than in RM-1 and RM-2 districts. Many buildings exceed 40 feet in height, and in some cases additional buildings over that height may be accommodated without disruption of the district character. Although lots and buildings wider than 25 or 35 feet are common, the scale often remains moderate through sensitive facade design and segmentation. Open spaces are smaller, but decks and balconies are used to advantage for many units. Supporting nonresidential uses are often found in these areas.

RM-4 Districts: High Density. These districts are devoted almost exclusively to apartment buildings of high density, usually with smaller units, close to downtown. Buildings over 40 feet in height are very common, and other tall buildings may be accommodated in some instances. Despite the intensity of development, distinct building styles and moderation of facades are still to be sought in new development, as are open areas for the residents. Group housing is especially common in these districts, as well as supporting nonresidential uses.))

SEC. 208. DENSITY LIMITATIONS FOR GROUP HOUSING IN RC AND NC DISTRICTS.

The density limitations for group housing, as described in Sections 209.2(a), (b), and (c), 790.88(b) and 890.88(b) of this Code, shall be as follows.

(a) The maximum number of bedrooms on each lot shall be as specified in the following table for the district in which the lot is located, except that for lots in NC Districts, the group housing density shall not exceed the number of bedrooms permitted in the nearest Residential District provided that

the maximum density not be less than the amount permitted by the ratio specified for the NC district in which the lot is located.

TABLE 208

MAXIMUM DENSITY FOR GROUP HOUSING

District	Minimum Number of Square Feet of Lot Area for Each Bedroom
((RH-2))	((415))
((RH-3, RM-1,))RC-1	275
((RM-2,))RC-2	210
((RM-3,))RC-3	140
((RM-4,))RC-4	70
NC-1, NC-2, NC-S, Sacramento Street, West Portal Avenue	275
NC-3, NC-S, Castro Street, Inner Clement Street, Outer Clement Street, Upper Fillmore Street, Haight Street, Union Street, Valencia Street,	210

24th Street-Mission,	
24th Street-Noe Valley	
Broadway,	
Hayes-Gough,	
Upper Market Street,	140
North Beach,	
Polk Street	
Chinatown Community Business	70
Chinatown Residential Neighborhood Commercial	
Chinatown Visitor Retail	
((RED	140))
RSD, SLR, SLI, SSO	70
SPD	210

(b) For purposes of calculating the maximum density for group housing as set forth herein, the number of bedrooms on a lot shall in no case considered to be less than one bedroom for each two beds. Where the actual number of beds exceeds an average of two beds for each bedroom, each two beds shall be considered equivalent to one bedroom.

(c) The rules for calculation of dwelling unit densities set forth in Section 207.1 shall also apply in calculation of the density limitations for group housing, except that in NC districts, any remaining fraction of one-half or more of the maximum amount of lot area per bedroom shall be adjusted upward to the next higher whole number of bedrooms.

SEC. 209. USES PERMITTED IN RC DISTRICTS.

(a) The uses listed in Sections 209.1 through 209.9 are permitted in RC districts as indicated by the following symbols in the respective columns for

/

each district:

P: Permitted as a principal use in this district.

C: Subject to approval by the City Planning Commission as a conditional use in this district as provided in Section 303 of this Code.

NA: This listing not applicable to this district, as the same use is listed subsequently for the District with fewer restrictions.

Blank Space: Not permitted in this district.

(b) The Section titles are intended only as an aid to use of this Code and are not binding as to interpretation of these Sections. Uses listed in this table shall not include any use specifically listed elsewhere in the table.

(c) Determinations as to the classification of uses not specifically listed shall be made in the manner indicated in Sections 202 and 307(a) of this Code.

(d) References should be made to Sections 204 through 204.5 for regulations pertaining to accessory uses permitted for principal and conditional uses listed in Sections 209.1 through 209.9.

(e) Reference should also be made to the other Articles of this Code containing provisions relating to definitions, off-street parking and loading dimensions, areas and open spaces, nonconforming uses, height and bulk districts, signs, historic preservation, and other factors affecting the development and alteration of properties in these use Districts.

(f) Reference should be made to Sections 249.1 for provisions pertaining to uses in the Residential Subdistrict of the Rincon Hill Special Use District.

SEC. 209.1. DWELLINGS.

(((a) One-family dwelling having side yards as required by Section 133 of this Code.))

(a) (((b) Other o)) One-family dwelling.

(((c) Two-family dwelling with the second dwelling unit limited to 600 square feet of net floor area.))

(b) (((d) Other t)) Two-family dwelling.

(c) (((e))) Three-family dwelling.

(((f) Dwelling at a density ratio up to one dwelling unit for each 3,000 square feet of lot area, but no more than three dwelling units per lot, if authorized as a conditional use by the City Planning Commission.))

(((g) Dwelling at a density ratio up to one dwelling unit for each 1,500 square feet of lot area, if authorized as a conditional use by the City Planning Commission.))

(((h) Dwelling at a density ratio up to one dwelling unit for each 1,000 square feet of lot area, if authorized as a conditional use by the City Planning Commission.))

(d) (((i))) Dwelling at a density ratio not exceeding one dwelling unit for each 800 square feet of lot area.

(e) (((j))) Dwelling at a density ratio not exceeding one dwelling unit for each 600 square feet of lot area.

(f) (((k))) Dwelling at a density ratio not exceeding one dwelling unit for each 400 square feet of lot area.

(g) (((l))) Dwelling at a density ratio not exceeding one dwelling unit for each 200 square feet of lot area; provided, that for purposes of this calculation a dwelling unit in these districts containing no more than 500 square feet of net floor area and consisting of not more than one habitable room in addition to a kitchen and a bathroom may be counted as equal to 3/4 of a dwelling unit.

(h) (((m))) Dwelling specifically designed for and occupied by senior citizens or physically handicapped persons, at a density ratio or number of dwelling units not exceeding twice the number of dwelling units otherwise permitted above as a principal use in the district. Such dwellings shall be limited to such occupancy for the actual lifetime of the building by the

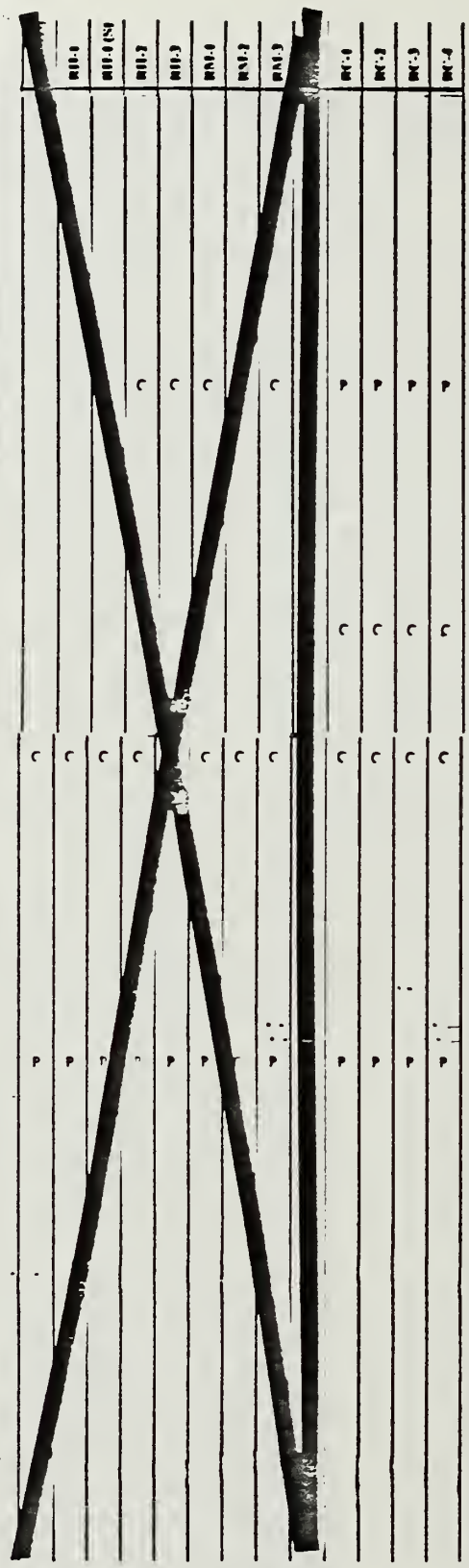
requirements of State or Federal programs for housing for senior citizens or physically handicapped persons, or otherwise by design features and by legal arrangements approved as to form by the City Attorney and satisfactory to the Department of City Planning.

SEC. 209.2. OTHER HOUSING.

(a) Group housing, boarding: Providing lodging or both meals and lodging, without individual cooking facilities, by prearrangement for a week or more at a time and housing six or more persons in a space not defined by this Code as a dwelling unit. Such group housing shall include but not necessarily be limited to a boardinghouse, guesthouse, roominghouse, lodginghouse, residence club, commune, fraternity and sorority house but shall not include group housing for religious orders or group housing for medical and educational institutions, whether on a separate lot or part of an institution, as defined and regulated by this Code. The density limitations for group housing, by district, shall be as set forth in Section 208 of this Code.

(b) Group housing, religious orders: Providing lodging or both meals and lodging, without individual cooking facilities, by prearrangement for a week or more at a time and housing six or more persons in a space not defined by this Code as a dwelling unit, where such housing is for members of a religious order calling for collective work or worship and is not defined as, or on the same lot as, a religious institution as defined and regulated by Section 209.3(j) of this Code. Such housing shall include but not necessarily be limited to a monastery, nunnery, convent and ashram. The density limitations for group housing, by district, shall be as set forth in Section 208 of this Code.

(c) Group housing, medical and educational institutions: Providing lodging or both meals and lodging, without individual cooking facilities, by prearrangement for a week or more at a time and housing six or more persons in a space not defined by this Code as a dwelling unit, where such facility is affiliated with and operated by a medical or educational institution as defined and



regulated by Sections 209.3(a), (g), (h) and (i) of this Code but not located on the same lot as such institution and not used for inpatient care. Such housing shall meet the applicable provisions of Section 304.5 of this Code concerning institutional master plans. The density limitations for group housing, by district, shall be as set forth in Section 208 of this Code.

(d) Hotel, inn or hostel containing no more than five rooms or suites of rooms, none with individual cooking facilities, which are offered for compensation and are primarily for the accommodation of transient overnight guests. A hotel, inn or hostel shall not include a motel as defined and regulated by Section 216(c) of this Code.

(e) Hotel, inn or hostel as specified in Subsection 209.2(d) above but with six or more guestrooms or suites. (Added Ord. 443-78, App. 10/6/78)

SEC. 209.3. INSTITUTIONS. (a) Hospital, medical center or other medical institution which includes facilities for inpatient care and may also include medical offices, clinics, laboratories, and employee or student dormitories and other housing, operated by and affiliated with the institution, which institution has met the applicable provisions of Section 304.5 of this Code concerning institutional master plans.

(b) Residential care facility providing lodging, board and care for a period of 24 hours or more to six or fewer persons in need of specialized aid by personnel licensed by the State of California. Such facility shall display nothing on or near the facility which gives an outward indication of the nature of the occupancy except for a sign as permitted by Article 6 of this Code, shall not provide outpatient services and shall be located in a structure which remains residential in character. Such facilities shall include but not necessarily be limited to a board and care home, family care home, long-term nursery, orphanage, rest home or home for the treatment of addictive, contagious or other diseases or psychological disorders.

(c) Residential care facility meeting all applicable requirements of Subsection 209.3(b) above but providing lodging, board and care as specified therein to seven or more persons.

(d) Social service or philanthropic facility providing assistance of a charitable or public service nature and not of a profit-making or commercial nature. (With respect to RC Districts, see also Section 209.9(d).)

(e) Child-care facility providing less than 24-hour care for 12 or fewer children by licensed personnel and meeting the open-space and other requirements of the State of California and other authorities.

(f) Child-care facility providing less than 24-hour care for 13 or more children by licensed personnel and meeting the open-space and other requirements of the State of California and other authorities. (With respect to RC Districts, see also Section 209.9(d).)

(g) Elementary school, either public or private. Such institution may include employee or student dormitories and other housing operated by and affiliated with the institution. (With respect to RC Districts, see also Section 209.9(d).)

(h) Secondary school, either public or private, other than a school having industrial arts as its primary course of study. Such institution may include employee or student dormitories and other housing operated by and affiliated with the institution. (With respect to RC Districts, see also Section 209.9(d).)

(i) Postsecondary educational institution for the purposes of academic, professional, business or fine arts education, which institution has met the applicable provisions of Section 304.5 of this Code concerning institutional master plans. Such institution may include employee or student dormitories and other housing operated by and affiliated with the institution. Such institution shall not have industrial arts as its primary course of study.

(j) Church or other religious institution which has a tax-exempt status as a religious institution granted by the United States Government, and which institution is used primarily for collective worship or ritual or observance of common religious beliefs. Such institution may include, on the same lot, the housing of persons who engage in supportive activity for the institution. (With respect to RC Districts, see also Section 209.9(d).)

SEC. 209.4. COMMUNITY FACILITIES. (a) Community clubhouse, neighborhood center, community cultural center or other community facility not publicly owned but open for public use, in which the chief activity is not carried on as a gainful business and whose chief function is the gathering of persons from the immediate neighborhood in a structure for the purposes of recreation, culture, social interaction or education other than that regulated by Section 209.3 of this Code. (With respect to RC Districts, see also Section 209.9(d).)

(b) Private lodge, private clubhouse, private recreational facility or community facility other than as specified in Subsection 209.4(a) above, and which is not operated as a gainful business. (With respect to RC Districts, see also Section 209.9(d).) (Added Ord. 443-78, App. 10/6/78)

SEC. 209.5. OPEN RECREATION AND HORTICULTURE. (a) Open recreation area not publicly owned which is not screened from public view, has no structures other than those necessary and incidental to the open land use, is not operated as a gainful business and is devoted to outdoor recreation such as golf, tennis or riding.

(b) Open space used for horticultural or passive recreational purposes which is not publicly owned and is not screened from public view, has no structures other than those necessary and incidental to the open land use, is not served by vehicles other than normal maintenance equipment, and has no retail or wholesale sales on the premises. Such open space may include but not neces-

sarily be limited to a park, playground, plant nursery, rest area, community garden or neighborhood garden.

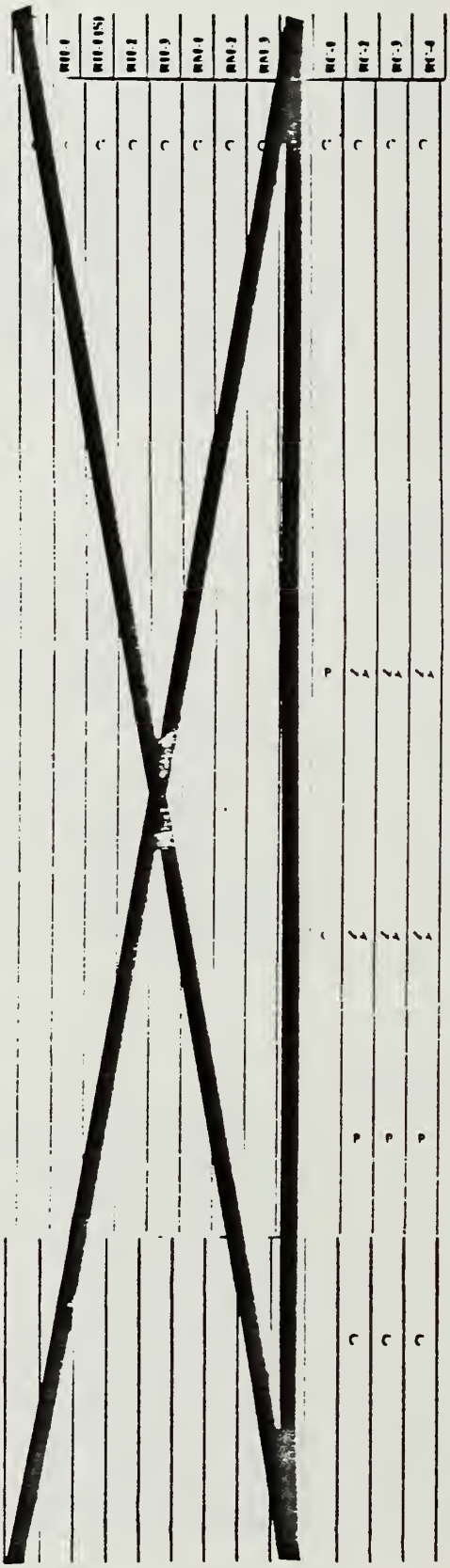
(c) Greenhouse, plant nursery, truck garden or other land or structure devoted to cultivation of plants of any kind, either with or without retail or wholesale sales on the premises. (With respect to RC Districts, see also Section 209.9(d).) (Added Ord. 443-78, App. 10/6/78)

SEC. 209.6. PUBLIC FACILITIES AND UTILITIES. (a) Public structure or use of a nonindustrial character, when in conformity with the Master Plan. Such structure or use shall not include a storage yard, incinerator, machine shop, garage or similar use.

(b) Utility installation, including but not necessarily limited to water, gas, electric, transportation or communications utilities, or public service facility, provided that operating requirements necessitate placement at this location. (Added Ord. 443-78, App. 10/6/78)

SEC. 209.7. VEHICLE STORAGE AND ACCESS. (a) Community garage, confined to the storage of private passenger automobiles of residents of the immediate vicinity, and meeting the requirements of Article 1.5 of this Code.

(b) Access driveway to property in C or M District, or to property in an R District in which the permitted dwelling unit density is greater than that permitted in the district where the driveway is located, provided that a solid fence, solid wall, or compact evergreen hedge, not less than six feet in height, is maintained along such driveway to screen it from any adjoining lot in any R District.



Such driveway shall meet the applicable requirements of Article 1.5 of this Code.

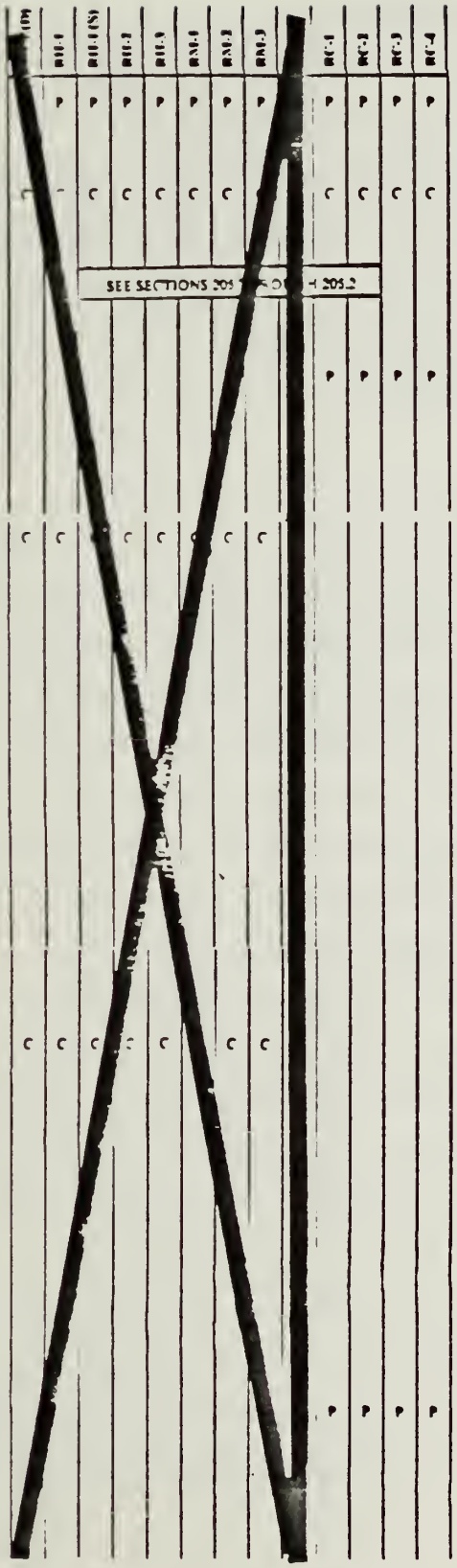
(c) Off-street parking facility to serve a use permitted in any R District, when such parking is not classified as accessory parking for such use, under the provisions of Section 204.5 of this Code, in terms of its location and amount. Such parking shall meet, where applicable, the requirements of Section 156 for parking lots, Section 159 for parking not on the same lot as the building or use served, and the other provisions of Article 1.5 of this Code. In considering any application for a conditional use for such parking where the amount of parking provided exceeds the amount classified as accessory parking in Section 204.5, the Planning Commission shall consider the criteria set forth in Section 157 of this Code. (Added Ord. 443-78, App. 10/6/78)

SEC. 209.8. COMMERCIAL ESTABLISHMENTS. (a) Retail, personal service or other commercial establishment permitted as a principal use in a C-1 District, which is located within or below the ground story of a building; excluding any establishment designed primarily for customers arriving at that establishment by private motor vehicle.

(b) Retail, personal service or other commercial establishment permitted as a principal use in a C-1 District, which is located in a building above the ground story; excluding any establishment designed primarily for customers arriving at that establishment by private motor vehicle.

(c) Retail, personal service or other commercial establishment permitted as a principal use in a C-2 District, which is located within or below the ground story of a building; excluding any establishment designed primarily for customers arriving at that establishment by private motor vehicle.

(d) Retail, personal service or other commercial establishment permitted as a principal use in a C-2 District, which is located in a building above the ground story; excluding any establishment designed primarily for customers arriving at that establishment by private motor vehicle. (Added by Ord. 443-78, App. 10/6/78)



SEC. 209.9. OTHER USES.

(a) Sale or lease sign, as defined and regulated by Article 6 of this Code.

(b) Planned Unit Development, as defined and regulated by Section 304 and other applicable provisions of this Code.

(c) Temporary uses, as specified in and regulated by Sections 205 through 205.2 of this Code.

(d) Any use as specified in, and regulated by, Sections 209.3(d),(f),(g),(h),(j); 209.4(a),(b); or 209.5(c) of this Code, when located in or below the ground story of a building and not above the ground story.

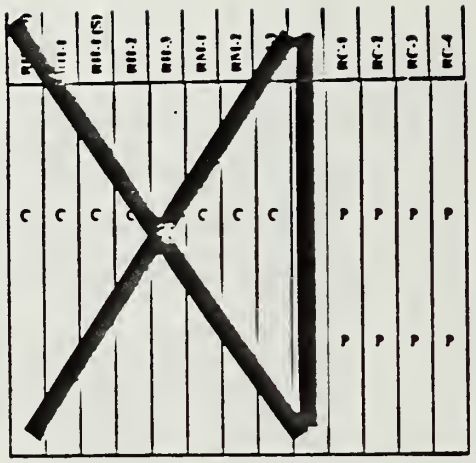
(((e) Any use listed as a principal or conditional use permitted in an RC-1 district, when located in a structure on a landmark site designated pursuant to Article 10 of this Code, provided that:

1. No application for a conditional use under this provision shall be accepted for filing until a period of 180 days shall have elapsed after the date of designation of the landmark; and

2. No conditional use shall be authorized under this provision unless such authorization conforms to the applicable provisions of Section 303 of this Code and, in addition, unless the specific use so authorized is essential to the feasibility of retaining and preserving the landmark.))

(e) (((f))) Subject to Section 233(a), live/work units in existing structures, including additions and expansions thereof, provided that one or more arts activities as defined in Section 102.2 of this Code are the primary non-residential use within the live/work unit, that other non-residential activities are limited to those otherwise permitted in the district or otherwise conditional in the district and specifically approved as a conditional use, and further subject to Section 303(c)(6)(8) where that Section applies.

(f) (((g))) Subject to Section 233(a), live/work units, provided that one or more arts activities as defined in Section 102.2 of this Code are the primary non-residential use within the live/work unit, and that other



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non-residential activities are limited to activities otherwise permitted in the district or otherwise conditional in the district and specifically approved as a conditional use.

(g) (((h))) Subject to Section 233(c), live/work units whether or not included above, which satisfy the conditions of Section 233(b) of this Code.

(h) (((i))) Arts activities except those uses subject to Section 209.3(d) or (h).

SEC. 241. DOLORES HEIGHTS SPECIAL USE DISTRICT.

In order to preserve and provide for an established area with a unique character and balance of built and natural environment, with public and private view corridors and panoramas, to conserve existing buildings, plant materials and planted spaces, to prevent unreasonable obstruction of view and light by buildings or plant materials, and to encourage development in context and scale with established character and landscape, there shall be a Dolores Heights Special Use District as designated on Section Map No. 7 SU of the Zoning Map.

In this district, all provisions of the City Planning Code applicable in RH-1 districts shall continue to apply except that rear yards shall in no case be less than 25 feet deep and reductions of the rear yard requirement as provided in Section 444(a)(2)(B) shall not be applicable. ((and height limit provisions of this Section 241 shall be substituted for rear yard and height limit provisions found elsewhere in this Code.

(a) The minimum rear yard depth shall be equal to 45 per cent of the total depth of the lot on which building is situated, but in no case shall the rear yard be less than 25 feet deep.

(b) No portion of a building shall exceed a height of 35 feet above the existing grade of the lot with the intent that the building shall be contained within an envelope that slopes upward or downward with the slope of the property. The height of a building for purposes of this section shall be measured in the manner described in Section 102.11(c) of the City Planning Code whether the lot being measured slopes upward or downward from the street.

(c) Variances may be granted from the rear yard and height limit provisions in Paragraphs (a) and (b) above in accordance with procedures specified in Section 305 of the City Planning Code provided that no such variance shall permit a building to have a height in excess of that otherwise permitted in an RH-1 district.))

SEC. 250. HEIGHT AND BULK DISTRICTS ESTABLISHED FOR ALL USE DISTRICTS OTHER THAN R DISTRICTS.

(a) In order to carry out further the purposes of this Code, height and bulk districts are hereby established for all use districts other than R districts, subject to the provisions of this Article 2.5. Height and bulk districts for R districts are established in Section 450 of this Code.

(b) No building or structure or part thereof shall be permitted to exceed, except as stated in Sections 172 and 188 of this Code, the height and bulk limits set forth in this Article for the district in which it is located including the height limits for use districts set forth in Section 261, and in Article 4 for R districts.

(c) The establishment of these height and bulk districts and the repeal and replacement of special height districts or height limits previously in effect in the city shall in no way be deemed to confer legal noncomplying status upon any building or structure constructed, reconstructed, enlarged, altered or relocated in violation of the height districts or limits previously in effect.

(d) In the case of any apparent inconsistency among requirements of this Code applicable to the same property or development, including but not limited to standards for height, bulk, floor area ratio, set-backs, yards, usable open space and dwelling unit density, the most restrictive of such requirements shall prevail.

(e) Except for R districts which are regulated by provisions in Article 4, t((T))he provision of this Article 2.5 shall apply to all properties and developments, both public and private, including those of the City and County of San Francisco.

(f) The requirements of height and bulk districts established by this Article 2.5 shall not apply to buildings and structures on sites for which a redeveloper had been formally selected by the Redevelopment Agency of the City prior to August 26, 1971, for development in a Redevelopment Project

Area in accordance with an agreement that specifically committed the City to a height or bulk configuration not consistent with the provisions of this Article for height and bulk districts.

SEC. 251. HEIGHT AND BULK DISTRICTS IN ALL USE DISTRICTS OTHER THAN R DISTRICTS: PURPOSES.

In addition to the purposes of this Code as stated in Section 101, these height and bulk districts applicable in all use districts other than R districts, are established for further purposes of implementing the Urban Design element and other elements of the Master Plan, according to the objectives, principles and policies stated therein. Among these purposes are the following:

(a) Relating of the height of buildings to important attributes of the city pattern and to the height and character of existing development;

(b) Relating of the bulk of buildings to the prevailing scale of development to avoid an overwhelming or dominating appearance in new construction;

(c) Promotion of building forms that will respect and improve the integrity of open spaces and other public areas;

(d) Promotion of harmony in the visual relationships and transitions between new and older buildings;

(e) Protection and improvement of important city resources and of the neighborhood environment;

(f) Conservation of natural areas and other open spaces; and

(g) Direction of new development to locations that are appropriate in terms of land use and transportation.

SEC. 252. CLASSES OF HEIGHT AND BULK DISTRICTS IN ALL USE DISTRICTS OTHER THAN R DISTRICTS.

The City, for all use districts except R districts, is hereby divided into classes of height and bulk districts as indicated on the Zoning Map and in this Article 2.5. The original of the sectional maps establishing said

districts is on file with the Clerk of the Board of Supervisors under File No. 362-72-2. The height limits for each such district are specified on said map by numerical designations in feet, and the bulk limits are designated thereon by letter symbols referring to the limitations upon the plan dimensions of buildings and structures set forth in Section 270 of this Code.

SEC. 253. REVIEW OF PROPOSED BUILDINGS AND STRUCTURES EXCEEDING A HEIGHT OF 40 FEET IN RC DISTRICTS.

(a) Notwithstanding any other provision of this Code to the contrary, in any RC district established by the use district provisions of Article 2 of this Code, wherever a height limit of more than 40 feet is prescribed by the height and bulk district in which the property is located, any building or structure exceeding 40 feet in height shall be permitted only upon approval by the City Planning Commission according to the procedures for conditional use approval in Section 303 of this Code.

(b) In reviewing any such proposal for a building or structure exceeding 40 feet in height, the City Planning Commission shall consider the expressed purposes of this Code, of the RC districts, and of the height and bulk districts, set forth in Sections 101, 206 through 206.3 and 251 hereof, as well as the criteria stated in Section 303(c) of this Code and the objectives, policies and principles of the Master Plan, and may permit a height of such building or structure up to but not exceeding the height limit prescribed by the height and bulk district in which the property is located.

SEC. 260. HEIGHT LIMITS: MEASUREMENT <u>OF HEIGHT OF BUILDINGS IN ALL USE DISTRICTS OTHER THAN R DISTRICTS.</u>

(a) <u>Method of measurement</u>. The limits upon the height of buildings and structures shall be as specified on the Zoning Map. In the measurement of height for purposes of such limits <u>in all use districts other than R districts</u>, the following rules shall be applicable:

(1) The point above which such measurements shall be taken shall be as specified in the definition of "height" in this Code.

(2) The upper point to which such measurement shall be taken shall be the highest point on the finished roof in the case of a flat roof, and the average height of the rise in the case of a pitched or stepped roof, or similarly sculptured roof form or any higher point of a feature not exempted under Subsection (b) below.

(3) In cases where the height limit is 65 feet or less and a street from which height measurements are made slopes laterally along the lot, or the ground slopes laterally on a lot that also slopes upward from the street, there shall be a maximum width for the portion of the building or structure that may be measured from a single point at curb or ground level, according to the definition of "height", as specified in the following table. These requirements shall not apply to any property to which the bulk limitations in Section 270 of this Code are applicable.

TABLE 260

HEIGHT MEASUREMENT ON LATERAL SLOPES

WHERE HEIGHT LIMIT IS 65 FEET OR LESS

Average Slope of Curb or Ground From Which Height is Measured	Maximum Width for Portion of Building that May Be Measured from a Single Point
5 percent or less	No requirement
More than 5 percent but no more than 15 percent	65 feet
More than 15 percent but no more than 20 percent	55 feet
More than 20 percent but no more than 25 percent	45 feet
More than 25 percent	35 feet

(b) Exemptions. In addition to other height exceptions permitted by this Code, the features listed in this subsection shall be exempt from the height limits established by this Code, in an amount up to but not exceeding that which is specified.

(1) The following features shall be exempt; provided the limitations indicated for each are observed; provided further that the sum of the horizontal areas of all features listed in this Paragraph (b)1 shall not exceed 20 percent of the horizontal area of the roof above which they are situated, or, in C-3 districts, where the top of the building has been separated into a number of stepped elements to reduce the bulk of the upper tower, of the total of all roof areas of the upper tower, or in the Rincon Hill Special Use District, where the top of the building has been separated into a number of stepped elements to reduce the bulk of the upper tower, of the total of all roof areas of the upper towers; and provided further that in any R, RC-1, RC-2, RC-3, or RC-4 district the sum of the horizontal areas of all such features located within the first 10 feet of depth of the building, as measured from the front wall of the building, shall not exceed 20 percent of the horizontal area of the roof in such first 10 feet of depth.

As an alternative, the sum of the horizontal areas of all features listed in this Paragraph (b)1 may be equal but not exceed 20 percent of the horizontal area permitted for buildings and structures under any bulk limitations in Section 270 of this Code applicable to the subject property. Any such sum of 20 percent heretofore described may be increased to 30 percent by unroofed screening designed either to obscure the features listed under (A) and (B) below or to provide a more balanced and graceful silhouette for the top of the building or structure.

(A) Mechanical equipment and appurtenances necessary to the operation or maintenance of the building or structure itself, including chimneys, ventilators, plumbing vent stacks, cooling

towers, water tanks, panels or devices for the collection of solar or wind energy and window washing equipment, together with visual screening for any such features. This exemption shall be limited to the top 10 feet of such features where the height limit is 65 feet or less, and the top 16 feet of such features where the height limit is more than 65 feet.

(B) Elevator, stair and mechanical penthouses, fire towers, skylights and dormer windows. This exemption shall be limited to the top 10 feet of such features where the height limit is 65 feet or less, and the top 16 feet of such features where the height limit is more than 65 feet.

(C) Stage and scenery lofts.

(D) Ornamental and symbolic features of public and religious buildings and structures, including towers, spires, cupolas, belfries and domes, where such features are not used for human occupancy.

(E) In any C-3 district, enclosed space related to the recreational use of the roof, not to exceed 16 feet in height.

(F) In any C-3 or South of Market District, additional building volume used to enclose or screen from view the features listed under (b)1(A) and (B) above. The rooftop form created by the added volume shall not be subject to the percentage coverage limitations otherwise applicable to this subsection but shall meet the requirements of Section 141 and shall not exceed twenty feet in height, measured as provided in subsection (a) above, and may not exceed a total volume, including the volume of the features being enclosed, equal to three/fourths of the horizontal area of all upper tower roof areas of the building measured before the addition of any exempt features times twenty.

(G) In any C-3 district, vertical extensions to buildings, such as spires, which enhance the visual appearance of the structure and

are not used for human occupancy may be allowed, pursuant to the provisions of Section 309, up to 75 feet above the height otherwise allowed. The extension shall not be subject to the percentage coverage limitations otherwise applicable to this subsection, provided that the extension is less than 100 square feet in cross section and 18 feet in diagonal dimension.

(H) In the Rincon Hill Special Use District, enclosed space related to the recreational use of the roof, not to exceed 16 feet in height.

(I) In the Rincon Hill Special Use District, additional building volume used to enclose or screen from view the features listed under (b)1(A) and (B) above. The rooftop form created by the added volume shall not be subject to the percentage coverage limitations otherwise applicable to this subsection but shall meet the requirements of Section 141 and shall not exceed twenty feet in height, measured as provided in subsection (a) above, and may not exceed a total volume, including the volume of the features being enclosed, equal to three/fourths of the horizontal area of all upper tower roof areas of the building measured times twenty.

(J) In the Van Ness Special Use District, additional building volume used to enclose or screen from view the features listed under (b)1(A) and (B) above and to provide additional visual interest to the roof of the structure. The rooftop form created by the added volume shall not be subject to the percentage coverage limitations otherwise applicable to this subsection but shall meet the requirements of Section 141 and shall not exceed ten feet in height where the height limit is 65 feet or less or 16 feet where the height limit is more than 65 feet, measured as provided in subsection (a) above, and may not exceed a total volume, including the volume of the features being enclosed, equal to three/fourths of the horizontal

area of all upper tower roof areas of the building measured before the addition of any exempt features times ten where the height limit is 65 feet or less or times 16 where the height limit is more than 65 feet.

(2) The following features shall be exempt, without regard to their horizontal area, provided the limitations indicated for each are observed.

(A) Railings, parapets and catwalks, with a maximum height of four feet.

(B) Open railings, catwalks and fire escapes required by law, wherever situated.

(C) Unroofed recreation facilities with open fencing, including tennis and basketball courts at roof level, swimming pools with a maximum height of four feet and play equipment with a maximum height of 10 feet.

(D) Unenclosed seating areas limited to tables, chairs and benches, and related wind screens, lattices and sunshades with a maximum height of 10 feet.

(E) Landscaping, with a maximum height of four feet for all features other than plant materials.

(F) Short-term parking of passenger automobiles, without additional structures or equipment other than trellises or similar overhead screening for such automobiles with a maximum height of eight feet.

(G) Amusement parks, carnivals and circuses, where otherwise permitted as temporary uses.

(H) Flag poles and flags, clothes poles and clothes lines, and weather vanes.

(I) Radio and television antennae where permitted as accessory uses and towers and antennae for transmission, reception, or relay of radio, television, or other electronic signals where permitted as

principal or conditional uses, subject to the limitations of subsections 227(h) and (i) of this Code and limitations imposed by the City Planning Commission.

(J) Warning and navigation signals and beacons, light standards and similar devices, not including any sign regulated by this Code.

(K) Public monuments owned by government agencies.

(L) Cranes, scaffolding and batch plants erected temporarily at active construction sites.

(M) Structures and equipment necessary for the operation of industrial plants, transportation facilities, public utilities and government installations, where otherwise permitted by this Code and where such structures and equipment do not contain separate floors, not including towers and antennae for transmission, reception, or relay of radio, television, or other electronic signals where permitted as principal or conditional uses by this Code.

(N) Buildings, structures, and equipment of the San Francisco Port Commission, where not subject to this Code due to provisions of the San Francisco Charter or State law.

(O) Additional building height, up to a height of five feet above the otherwise applicable height limit, where the uppermost floor of the building is to be occupied solely by live/work units located within a South of Market District.

(P) Enclosed recreational facilities up to a height of ten feet above the otherwise applicable height limit when located within both an SSO District and a 65-U height and bulk district and when authorized by the City Planning Commission as a conditional use pursuant to Sections 303 and 316 of this Code, provided that the project is designed in such a way as to reduce the apparent mass of the structure above a base 50 foot building height.

((SEC. 261. ADDITIONAL HEIGHT LIMITS APPLICABLE TO CERTAIN USE DISTRICTS.

(a) General. Notwithstanding any other height limit established by this Article 2.5 to the contrary, the height of dwellings in certain use districts established by Article 2 of this Code shall be further limited by this Section 261. The measurement of such height shall be as prescribed by Section 260.

(b) Height limits applicable to the entire property.

1. No portion of a dwelling in any RH-1(D), RH-1 or RH-1(S) District shall exceed a height of 35 feet, except that:

(A) The permitted height shall be increased to 40 feet where the average ground elevation at the rear line of the lot is higher by 20 or more feet than at the front line thereof;

(B) The permitted height shall be reduced to 30 feet where the average ground elevation at the rear line of the lot is lower by 20 or more feet than at the front line thereof; and

(C) The permitted height shall be reduced to 25 feet where the average ground elevation at the rear line of the lot is lower by 40 or more feet than at the front line thereof.

2. No portion of a dwelling in any RH-2 district shall exceed a height of 40 feet, except that the permitted height shall be reduced to 35 feet where the average ground elevation at the rear line of the lot is lower by 20 or more feet than at the front line thereof.

(c) Height limits applicable to front portion of the property. Except in cases where the average ground elevation at the rear line of the lot is higher by 20 or more feet than at the front line thereof, the following additional height limits shall apply to the front portion of properties containing dwellings in all RH-1(D), RH-1, RH-1(S) and RH-2 Districts:

1. Basic Requirement. The height limit shall be 30 feet at the front lot line or, where the lot is subject to a legislated set-back line or required front set-back as described in Section 131 or Section 132 of this Code, then at such set-back; and shall increase at an angle of 45 degrees

from the horizontal toward the rear of the lot until the height limit prescribed by Subsection (b) above is reached.

2. Increase based upon conditions on adjacent lots. At the front wall of the building, and at every vertical cross-section of the building, parallel to the front lot line, to which the limit prescribed by Paragraph (c)1 above is applicable, said limit shall be increased to the average of the heights of the two adjacent buildings measured in the same vertical plane, or, if there is only one adjacent building, then to the height of the one adjacent building measured in the same vertical plane. For purposes of this provision, an adjacent building shall mean a building on a lot adjoining the subject lot along a side lot line.))

SEC. 262. ADDITIONAL HEIGHT LIMITS APPLICABLE TO SIGNS.

(a) The height limits established by this Article 2.5 and by Article 4 shall apply to all signs regulated by this Code. No sign shall be erected, placed, replaced, reconstructed or relocated except in conformity with the provisions of this Article and by Article 4, whether such sign is free standing or attached to a building or structure.

(b) The height of signs is also regulated by Article 6 of this Code, and in each case the most restrictive of the applicable height limitations shall prevail.

SEC. 303. CONDITIONAL USES.

(a) General. The City Planning Commission shall hear and make determinations regarding applications for the authorization of conditional uses in the specific situations in which such authorization is provided for elsewhere in this Code. The procedures for conditional uses shall be as specified in this section and in Sections 306 through 306.6, except that Planned Unit Developments shall in addition be subject to Section 304, medical institutions and post-secondary educational institutions shall in addition be subject to the institutional master plan requirements of Section 304.5, and conditional use and Planned Unit Development applications filed pursuant to

Article 7, or otherwise required by this Code for uses or features in Neighborhood Commercial Districts, and conditional use applications within South of Market districts, shall be subject to the provisions set forth in Sections 316 through 316.8 of this Code, in lieu of those provided for in Sections 306.2 and 306.3 of this Code, with respect to scheduling and notice of hearings, and in addition to those provided for in Sections 306.4 and 306.5 of this Code, with respect to conduct of hearings and reconsideration.

(b) Initiation.

1. A conditional use action may be initiated by application of the owner, or authorized agent for the owner, of the property for which the conditional use is sought.

2. No application for a conditional use for uses permitted in NC-1 districts when located in a landmark site designated pursuant to Article 10 of this Code as authorized by Section 411, shall be accepted for filing until a period of 180 days shall have elapsed after the date of designation of the landmark.

(c) Determination. After its hearing on the application, or upon the recommendation of the Director of Planning if the application is filed pursuant to Sections 316 through 316.8 of this Code and no hearing is required, the City Planning Commission shall approve the application and authorize a conditional use if the facts presented are such to establish:

1. That the proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community; and

2. That such use or feature as proposed will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, with respect to aspects including but not limited to the following:

(A) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures;

(B) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading;

(C) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust and odor;

(D) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, service areas, lighting and signs; and

3. That such use or feature as proposed will comply with the applicable provisions of this Code and will not adversely affect the Master Plan; and

4. With respect to applications filed pursuant to Article 7 of this Code; that such use or feature as proposed will provide development that is in conformity with the stated purpose of the applicable Neighborhood Commercial district, as set forth in zoning control category .1 of Sections 710 through 729 of this Code; and

5. With respect to applications filed pursuant to Article 7, Section 703.2(a), zoning categories .46, .47, and .48, in lieu of the criteria set forth above in Section 303(c)1-4, that such use or feature will:

(i) Not be located within 1000 feet of another such use, if the proposed use or feature is included in zoning category .47, as defined by Section 790.36 of this Code and/or

(ii) Not be open between 2 a.m. and 6 a.m.; and

(iii) Not use electronic amplification between midnight and 6 a.m.; and

(iv) Be adequately soundproofed or insulated for noise and operated so that incidental noise shall not be audible beyond the premises or in other sections of the building and fixed

source equipment noise shall not exceed the decibel levels specified in the San Francisco Noise Control Ordinance.

(B) Notwithstanding the above, the City Planning Commission may authorize a conditional use which does not satisfy the criteria set forth in 5(A)ii and/or 5(A)iii above, if facts presented are such to establish that the use will be operated in such a way as to minimize disruption to residences in and around the district with respect to noise and crowd control.

6. With respect to applications for live/work units in RH and RM Districts filed pursuant to Section 209.9(h) of this Code, that:

(A) Each live/work unit is within a building envelope in existence on the effective date of Ordinance No. (effective month date, 1988), and also within a portion of the building which lawfully contains at the time of application a nonconforming, non-residential use;

(B) There shall be no more than one live/work unit for each 1,000 gross square feet of floor area devoted to live/work units within the subject structure; and

(C) The project sponsor will provide any off-street parking, in addition to that otherwise required by this Code, needed to satisfy the reasonably anticipated auto usage by residents of and visitors to the project.

7. With respect for applications for non-residential uses permitted in an NC-1 district in a structure designated as a landmark pursuant to Article 10 as authorized by Section 411, that the specific use so authorized is essential to the feasibility of retaining and preserving the landmark. Such action of the City Planning Commission, in either approving or disapproving the application, shall be final except upon the filing of a valid appeal to the Board of Supervisors as provided in Section 308.1.

(d) Conditions. When authorizing a conditional use as provided herein the City Planning Commission, or the Board of Supervisors on appeal, shall prescribe such additional conditions, beyond those specified in this Code, as are in its opinion necessary to secure the objectives of the Code. Once any portion of the conditional use authorization is utilized, all such conditions pertaining to such authorization shall become immediately operative. The violation of any condition so imposed shall constitute a violation of this Code and may constitute grounds for revocation of the conditional use authorization. Such conditions may include time limits for exercise of the conditional use authorization; otherwise, any exercise of such authorization must commence within a reasonable time.

(e) Modification of conditions. Authorization of a change in any condition previously imposed in the authorization of a conditional use shall be subject to the same procedures as a new conditional use. Such procedures shall also apply to applications for modification or waiver of conditions set forth in prior stipulations and covenants relative thereto continued in effect by the provisions of Section 174 of this Code.

SEC. 351.1 FEE FOR REVIEW OF APPLICATIONS FOR DEMOLITION AND REPLACEMENT OF AFFORDABLE RENTAL UNITS IN RH-3 AND RM DISTRICTS. Before filing any application for demolition and replacement of affordable rental dwelling unit(s) in RH-3 and RM districts, as provided in Sec. 487 of this Code, a fee of $1000 per unit shall be charged and collected by the Department of City Planning.

SEC. 369 of Art. 3.5A and SEC. 365 of Art.3.5 FEE FOR REVIEW OF APPLICATIONS FOR EXCEPTION TO THE HEIGHT LIMIT OF 35 FEET ON LOTS SUBJECT TO ARTICLE 4. Before filing any application for an exception as provided in Section 444(a)(2)(B), 453(a)(2)(B), and 462(d) of this Code, a fee of $275 shall be charged and collected by the Department of City Planning.

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SEC. 606. RESIDENTIAL-~~COMMERCIAL~~ (RC) DISTRICTS

Signs in RC Districts, other than those signs exempted by Section 603 of this Code, shall conform to the following provisions:

(a) General Provisions for All Signs.

(1) No sign shall project beyond a street property line or legislated setback line, or into a required front setback area.

(2) No sign shall have or consist of any moving, rotating or otherwise animated part, or (if permitted to be illuminated) any flashing, blinking, fluctuating or otherwise animated light.

(3) No roof sign, wind sign, or general advertising sign shall be permitted.

(4) No sign shall extend above the roofline of a building to which it is attached, or above a height of 12 feet.

(b) Signs for Uses Permitted in RC Districts. The following types of signs, subject to the limitations prescribed for them, shall be the only signs permitted for uses authorized as principal or conditional uses in RC Districts, except that signs for any commercial establishments so authorized in RC Districts shall be subject to the limitations of Paragraph (c)(3) below.

(1) One nonilluminated or indirectly illuminated name plate for each street frontage of the lot, not exceeding a height of 12 feet, and having an area not exceeding ((one square foot in RH Districts or)) two square feet ((in RM Districts)).

(2) One identifying sign for each street frontage of the lot, not exceeding a height of 12 feet and ((meeting the following additional requirements:))

(((A) In RH Districts: nonilluminated or indirectly illuminated only; maximum area 12 square feet;))

(((B) In RC ((RM-1 or RED)) Districts: maximum area eight square feet if directly illuminated, and 20 square feet if nonilluminated or indirectly illuminated.

(3) One temporary nonilluminated or indirectly illuminated sale or lease sign for each street frontage of the total parcel involved, not exceeding a height of 24 feet if free standing and not above the roofline if attached to a building, and having an area not exceeding six square feet for each lot or for each 3,000 square feet in such total parcel, whichever ratio permits the larger area, provided that no such sign shall exceed 50 square feet in area and any such sign exceeding 18 square feet in area shall be set back at least 25 feet from all street property lines. Any sale or lease sign shall be removed within seven days following removal of the property from the market.

(4) Temporary nonilluminated signs of persons and firms connected with work on buildings under actual construction or alteration, giving their names and information pertinent to the project, not exceeding a height of 12 feet, with the combined area of all such signs not to exceed 10 square feet for each street frontage of the project.

(c) Signs for Nonconforming Uses. Signs for any use in an RC District which is nonconforming under the provisions of Sections 180 through 187 of this Code, or which is given conditional use status under said sections, shall be subject to the provisions of this Subsection (c), except that any such use that would first be permitted as either a principal or a conditional use in some other R district under Article ((2)) 4 of this Code((, other than an RC district,)) shall be subject to the provisions of Subsection 606(b) above. Any illumination permitted for signs covered by this Subsection (c) shall be extinguished at all times when the nonconforming use is not open for business.

(1) Automobile Service Stations. The following business signs are permitted for an automobile service station. Any such signs may be nonilluminated or indirectly or directly illuminated.

(A) A maximum of two oil company signs, which shall not extend more than 10 feet above the roofline if attached to a building, or exceed a height of 24 feet if free standing. The area of any such

sign shall not exceed 180 square feet, and along each street frontage all parts of such a sign or signs that are within 10 feet of the street property line shall not exceed 80 square feet in area. The areas of other permanent and temporary signs as covered in Subparagraph 606(c)(1)(B) below shall not be included in the calculation of the areas specified in this Subparagraph.

(B) Other permanent and temporary signs customarily incidental to the service station business. No such sign shall extend above the roofline if attached to a building, or exceed a height of 12 feet if freestanding. The area of such signs shall not exceed 20 square feet for each such sign or a total of 80 square feet for all such signs on the premises.

(2) Open Land Uses. If there is no building with more than 50 square feet of floor area involved in the use, one business sign is permitted for each street frontage occupied by such use, not exceeding a height of 12 feet and having an area not exceeding one square foot for each foot of such street frontage. The total area of all signs for such a use shall not exceed 50 square feet. Any such sign may be nonilluminated or indirectly illuminated.

3. Other Uses. For a use not listed in Paragraph 606(c)1 or 606(c)(2) above, one business sign is permitted for each street frontage occupied by the use, placed flat against the wall that faces such street and not located above the ground floor. Such sign shall not exceed an area of two square feet for each foot of street frontage occupied by the building or part thereof that is devoted to the nonconforming use. The total area of all signs for such a use shall not exceed 100 square feet. Any such sign may be nonilluminated or indirectly illuminated. ((In RM, RED and RC districts, a))Any such sign may be directly illuminated.

ARTICLE 8

MIXED USE DISTRICTS

Sec. 801.	Mixed Use District Provisions.
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Sec. 802.	Classes of Mixed Use Districts.
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Sec. 802.2.	Special Use Districts.
Sec. 803.	Mixed Use District Requirements.
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Sec. 803.2.	Uses Permitted in Chinatown Mixed Use Districts.
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((Sec. 813.	RED - Residential Enclave District.))
Sec. 814.	SPD - South Park District.
Sec. 815.	RSD - Residential/Service District.
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Sec. 890.36.	Entertainment, Adult.
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Sec. 890.122.	Take-out Food.

Sec. 890.124. Trade Shop.

Sec. 890.130. Use Size (Nonresidential).

Sec. 890.131. Vehicle Storage, Open Lot.

Sec. 890.132. Vehicle Storage, Enclosed Lot or Structure.

Sec. 890.140. Walk-up Facility.

Sec. 899. Other Applicable Sections of the City Planning Code.

SEC. 802.1. MIXED USE DISTRICTS.

The following districts are established for the purpose of implementing the Residence Element, the Commerce and Industry Element, the Downtown Plan, the Chinatown Plan and the South of Market Plan, all of which are parts of the Master Plan. Description and Purpose Statements outline the main functions of each Mixed Use district in this Article, supplementing the statements of purpose contained in Section 101 of this Code.

Description and purpose statements applicable to each district are set forth in Sections 810 through 820 of this Code. The boundaries of the various Mixed Use Districts are shown on the Zoning Map referred to in Section 105 of this Code, subject to the provisions of that Section. The following Districts are hereby established as Mixed Use Districts.

Districts	Section Number
Chinatown - Community Business District	§ 810
Chinatown - Visitor Retail District	§ 811
Chinatown - Residential Neighborhood Commercial District	§ 812
((RED - Residential Enclave District	§ 813))
SPD - South Park District	§ 814
RSD - Residential/Service District	§ 815
SLR - Service/Light Industrial/Residential District	§ 816
SLI - Service/Light Industrial District	§ 817
SSO - Service/Secondary Office District	§ 818

SEC. 803.3. USES PERMITTED IN SOUTH OF MARKET USE DISTRICTS.

(a) **Use Categories.** A use is a specified purpose for which a property or building is used, occupied, maintained, or leased. Whether or not a use is permitted in a specific South of Market district is generally set forth, summarized or cross-referenced in Sections 813.3 through 818 of this Code for each district class.

(b) **Use Limitation.** Uses in South of Market districts are either permitted, conditional, accessory, temporary or are not permitted.

1. **Permitted Uses.** If there are two or more uses in a structure, any use not classified below under Section 803.3(b)(1)(C) of this Code as accessory will be considered separately as an independent permitted, conditional, temporary or not permitted use.

(A) **Principal Uses.** Principal uses are permitted as of right in a South of Market district, when so indicated in Sections 813 through 818 of this Code for the district. Additional requirements and conditions may be placed on particular uses as provided pursuant to Section 803.5 and other applicable provisions of this Code.

(B) **Conditional Uses.** Conditional uses are permitted in a South of Market district, when authorized by the City Planning Commission; whether a use is conditional in a given district is generally indicated in Sections 813 through 818 of this Code. Conditional uses are subject to the applicable provisions set forth in Sections 178, 179, 263.11, 303, 316 through 316.8, and 803.5 of this Code.

(C) **Accessory Uses.** Subject to the limitations set forth below and in Sections 204.1 (Accessory Uses for Dwelling Units in R and NC Districts), 204.2 (Accessory Uses for Uses other than Dwellings in R Districts), 204.4 (Dwelling Units Accessory to Other Uses), and 204.5 (Parking and Loading as Accessory Uses) of this Code, an accessory use is a related minor use which is either necessary to the operation

or enjoyment of a lawful principal use or conditional use, or is appropriate, incidental and subordinate to any such use, and shall be permitted as an accessory use in a South of Market district. In order to accommodate a principal use which is carried out by one business in multiple locations within the same general area, such accessory use need not be located in the same structure or lot as its principal use provided that (1) the accessory use is located within 1,000 feet of the principal use; (2) the multiple locations existed on (month/date/1990--the effective date of this amendment); and (3) the existence of the multiple locations is acknowledged in writing by the Zoning Administrator within 60 days after the effective date of this amendment. Any use which does not qualify as an accessory use shall be classified as a principal use.

No use will be considered accessory to a principal use which involves or requires any of the following:

(i) The use of more than one-third (1/3) of the total occupied floor area which is occupied by both the accessory use and principal use to which it is accessory, combined, except in the case of accessory off-street parking or loading which shall be subject to the provisions of Sections 151, 156 and 157 of this Code.

(ii) A hotel, motel, inn, hostel, nighttime entertainment, adult entertainment, massage establishment, large fast food restaurant, or movie theater use in a ((RED,))SPD, RSD, SLR, SLI or SSO District;

(iii) Any take-out food use, except for a take out food use which occupies 100 square feet or less (including the area devoted to food preparation and service and excluding storage and waiting areas) in a restaurant, bar, catering establishment, bakery, retail grocery or specialty food store;

(D) **Temporary Uses.** Temporary uses not otherwise permitted are permitted in South of Market Districts to the extent authorized by Sections 205 through 205.3 of this Code.

((SEC. 813 RED — RESIDENTIAL ENCLAVE DISTRICT.

Residential Enclave Districts (RED) encompass the clusters of low-scale, medium density, predominantly residential neighborhoods located along the narrow side streets of the South of Market SLR district. Within these predominantly residential enclaves lie a number of vacant parcels, parking lots and other properties in open storage use. These properties are undeveloped or underdeveloped and are viewed as opportunity sites for new, moderate-income, in-fill housing.

The zoning controls for this district are tailored to the design needs and neighborhood characteristics of these enclaves and are intended to encourage and facilitate the development of attractive, compatible and economically feasible in-fill housing while providing adequate residential amenities to the site and neighborhood.

Dwelling units are permitted as a principal use. Social services and institutional uses are permitted as conditional uses. Group Housing, retail, entertainment, general commercial and services light industrial uses are not permitted. Existing commercial activities in non-residential structures may continue as nonconforming uses subject to the termination requirements of Sections 185 and 186. Live/Work units limited to arts activities are permitted within the district as a principal use. Existing live/work units with other non-residential uses may continue as nonconforming uses.))

((Table 813: RED — RESIDENTIAL ENCLAVE DISTRICT

ZONING CONTROL TABLE

No.	Zoning Category	§ References	Controls
Buildings Standards			
813.01	Height	See Zoning Map	Generally 40 feet See Sectional Zoning Maps 1 & 7
813.02	Bulk	§270	See Sectional Zoning Maps 1 and 7
USE STANDARDS			
813.03	Residential Density	§ 124(b), 207.5, 208	1:400 for dwelling units; 1 bedroom for each 140 sq. ft. of lot area for group housing
813.04	Non-Residential Density	§102.9, 123, 124, 127	Generally, 1.0 to 1 floor area ratio
813.05	Usable Open Space for Dwelling Units and Group Housing	§ 135	60 sq.ft. per unit, if private, 80 sq. ft. if common
813.06	Usable Open Space for Live/Work Units in Newly Constructed Buildings or Additions	§ 135.2	36 sq. ft. per unit

813.07	Usable Open Space for Other Uses	§ 135.3	Varies by use
813.09	Outdoor Activity Area	§ 890.70	P
813.10	Walk-up Facility, except Automated Bank Teller Machine	§ 890.140	P
813.11	Automated Bank Teller Machine	§ 803.5(d)	NP
813.12	Residential Conversion	§ 803.5(b)	C
813.13	Residential Demolition	§ 803.5(b)	C
USES			
Residential Use			
813.14	Dwelling Units	§ 102.7	P
813.15	Group Housing	§ 890.88(b)	NP
Institutions			
813.17	Hospital, Medical Centers	§ 890.44	NP
813.18	Residential Care	§ 890.50(e)	C
813.19	Educational Services	§ 890.50(c)	C
813.20	Religious Facility	§ 890.50(d)	C
813.21	Assembly and Social Service, except Open Recreation or Horticulture	§ 890.50(a)	C
813.22	Child Care	§ 890.50(b)	P
Vehicle Parking			
813.25	Automobile Parking Lot, Community Residential	§ 890.7	P

813.26	Automobile Parking Garage, Community Residential	§ 890.8	C
813.27	Automobile Parking Lot, Community Commercial	§ 890.9	P
813.28	Automobile Parking Garage, Community Commercial	§ 890.10	C
813.29	Automobile Parking Lot, Public	§ 890.11	P
813.30	Automobile Parking Garage, Public	§ 890.12	C
<u>Retail Sales and Service</u>			
813.31	All Retail Sales and Service except per §813.32	§ 890.104	NP
813.32	Retail sales and service use in a Landmark Building or a Contributory Building in an Historic District	§ 803.5(c)	C
<u>Assembly, Recreation, Arts and Entertainment</u>			
813.37	Nighttime Entertainment	§ 102.17	NP
813.38	Meeting Hall, Not Within § 813.21	§ 221(c)	NP
813.39	Recreation Building, Not Within § 813.21	§ 221(e)	NP

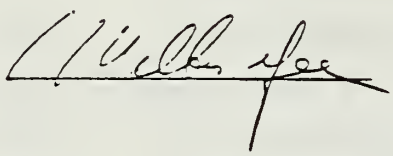
813.40	Pool Hall, Card Club, Not Within § 813.21	§ 221(f), 803.4	NP
813.41	Theater, Falling Within §221(d), Except Movie Theater	§ 221(d), 890.64	NP
Home and Business Service			
813.42	Trade Shop	§ 890.124	NP
813.43	Catering Services	§ 890.25	NP
813.45	Business Goods and Equipment Repair Service	§ 890.23	NP
813.46	Arts Activities, Except Within a Live/Work Unit	§ 102.2	NP
813.47	Business Services	§ 890.111	NP
Office			
813.48	Office Uses in Landmark Buildings or Contributory Buildings in Historic Districts	§ 803.5(c)	C
813.53	All Other Office Uses	§ 890.70	NP
Live/Work Units			
813.54	Live/Work Unit Where the Work Activity is an Arts Activity	§ 102.2, 102.13, 209.9(f),(g), 233	P
813.55	Live/Work Units in Landmark Buildings or Contributory Buildings in Historic Districts	§ 803.5(c)	C
813.56	All Other Live/Work Units	§ 102.13, 233	NP
Automotive Services			
813.57	Vehicle Storage--Open Lot	§ 890.131	NP

813.58	Vehicle Storage--Enclosed Lot or Structure	§ 890.132	P
813.59	Motor Vehicle Service Station, Automotive Wash	§ 890.18, 890.20	NP
813.60	Motor Vehicle Repair	§ 890.15	NP
813.61	Motor Vehicle Tow Service	§ 890.19	NP
813.62	Non-Auto Vehicle Sales or Rental	§ 890.69	NP
813.63	Public Transportation Facility	§ 890.80	NP
Industrial			
813.64	Wholesaling, Storage, Distribution and Open Air Handling of Materials and Equipment, Manufacturing and Processing	§ 225, 890.54	NP
Other Uses			
813.65	Animal Service	§ 224	NP
813.66	Open Air Sales	§ 890.38, 803.5(e)	NP
813.67	Ambulance Service	§ 890.2	NP
813.68	Open Recreation and Horticulture	§ 209.5	P
813.69	Public Use, Except Public Transportation Facility	§ 890.80	C
813.70	Commercial Wireless Transmitting, Receiving or Relay Facility	§ 227(h)	C
813.71	Greenhouse or Plant Nursery	§ 227(a)	NP
813.72	Mortuary Establishment	§ 227(c)	NP))

SECTION IV. The San Francisco Board of Supervisors hereby finds that this ordinance is on balance consistent with the Priority Policies in Section 101.1 of the San Francisco Municipal Code (the City Planning Code) and consistent with the Master Plan and adopts the findings in the City Planning Commission Resolution No.....related to the eight Priority Policies of Section 101.1 of the Planning Code and Master Plan.

SECTION V. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance or any part thereof, is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, or other competent agency, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof.

APPROVED AS TO FORM
LOUISE RENNE, CITY ATTORNEY



Deputy City Attorney

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